

4. Hoehn, sued in his individual capacity, is a member/owner of FreightWise, also holding the title of CIO/CTO.
5. Hoehn may be served with process at his place of residence, 505 Shadycress Lane, Franklin, TN, 37064.

JURISDICTION AND VENUE

6. This Court has jurisdiction over this action pursuant to the provisions of 28 U.S.C. § 1331.
7. Venue is proper in this Court as the acts occurred in Williamson County, Tennessee, which is in the Nashville Division of the Middle District of Tennessee.
8. Rositano filed an action under Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §2000e with the EEOC in Nashville, Tennessee on November 5, 2019, and it has been more than 180 days and the EEOC has not finalized its investigation, entitling Rositano to her right to sue.

FACTS

9. As set forth in more detail in the subsections that follow, Rositano was employed by FreightWise in various capacities between December 2018 and September 2019.
10. Rositano was financially vulnerable during all relevant time periods and believed, almost immediately after beginning to work at FreightWise, that it was a job she could turn into a career.
11. Rositano always held a sincere belief that adultery is immoral and people generally respect the desires of other persons.
12. Hoehn made numerous sexual comments to Rositano during her first few months at FreightWise and Rositano continuously rejected such advances.

13. When the sexual harassment escalated Rositano still believed she could convince Hoehn to simply treat her as an employee.
14. However, with the escalation in harassment came an escalation in anxiety, leading Rositano to begin self-medicating with Xanax to make it through the workday.
15. When Rositano was told by Hoehn that she needed to go out to have dinner with him on May 21, 2019 to discuss an important issue related to her job, a promotion, Rositano was hesitant, but Hoehn insisted they discuss the promotion over dinner and Rositano acquiesced.
16. Later that night Rositano was held against her will and raped by Hoehn.

A. Hiring and Initial Issues

17. Rositano is a thirty-two-year-old female who, during the relevant timeframe for this lawsuit, lived paycheck to paycheck and resided with her mother and stepfather.
18. Rositano sought contractual employment through Randstad USA (“Randstad”) in December 2018. On or about December 14, 2018, Randstad placed Rositano as a contract worker with FreightWise.
19. Upon beginning her employment with FreightWise, Rositano reported directly to CEO, Christopher Cochran (“Cochran”). Her title was Invoice Preprocessor.
20. Rositano’s job as an invoice preprocessor required her to: 1) review invoices; 2) confirm the bill of lading and proof of delivery match; and 3) upload the invoices so the “keyers” could handle their jobs.
21. While still employed as a contract employee, Rositano met Hoehn. The first question Hoehn asked her was, “Are you single?”

22. When Rositano informed Hoehn she had recently exited a relationship, Hoehn, upon recollection, responded by saying, "That's good."
23. Shortly thereafter, Rositano met Hoehn's wife, Catherine Rolen, and children at Freightwise's 2018 Christmas party.
24. Between December 21, 2018 and January 10, 2019, FreightWise decided to hire Rositano as an employee.
25. Upon information and belief, Randstad had a contractual agreement with FreightWise that required FreightWise to pay a finder's fee to Randstad if FreightWise hired Rositano as an employee.
26. Upon information and belief, FreightWise refused to negotiate in good faith with Randstad and FreightWise breached its contract with Randstad in hiring Rositano, refusing to pay Randstad's finder's fee.
27. In an attempt to hide this breach of contract with Randstad, FreightWise hired Rositano as an independent contractor on or about January 11, 2019.
28. At all times Rositano worked at Freightwise, she utilized Freightwise's equipment, worked on site, had little to no control over how her work was performed, did not create her own hours, and her main job consisted of processing 2,000 to 3,000 invoices per week, or less depending on activity.
29. As a contract employee through Randstad and while purportedly an independent contractor for FreightWise (and after becoming salaried), Rositano routinely worked a 9 or 10 hour day, with a 30 minute lunchbreak. She was never told to keep track of time or to only work 40 hours per week. She never received overtime benefits.

30. At the time the decision was made to hire Rositano as a contract employee and independent contractor, FreightWise had neither an employment manual nor a Human Resources representative.
31. Upon information and belief, it was not until approximately the beginning of April 2019 that FreightWise hired a Human Resources specialist.
32. Upon information and belief, when FreightWise decided to hire Rositano as an employee, Rositano was transferred to a department with Larry Sowards (“Sowards”), with Hoehn acting as Rositano’s and Soward’s supervisor.
33. Rositano was informed she was replacing Alisa Serebryanaya (“Alisa”)², whom Rositano was told left the job to take care of a friend or relative with cancer in Arizona. Rositano later learned Serebryanaya remained in Nashville for approximately six months to one year after leaving the position at Freightwise.
34. In referencing Alisa, Hoehn made comments such as he was bitter that Alisa left, and that he was hesitant to hire Rositano because, like Alisa, Rositano was young and a woman, and “the last young woman I hired screwed me over, and I don’t want that to happen again.” On another occasion, Hoehn said, “just don’t leave me and screw me over like Alisa did. That was messed up.” Further, Hoehn stated “I don’t want to have another Alisa situation on my hand. That really made me look bad to everyone here when she just up and left me.”
35. Hoehn, as noted above, took an immediate interest in Rositano, and, upon information and belief, Sowards witnessed Hoehn’s treatment of Rositano immediately after Rositano moved under Hoehn’s direct supervision.

² The use of Alisa Serebryana’s first name is solely to differentiate from later references to her sister, Evelyn Serebryana.

36. Hoehn, and upon information and belief in front of Sowards, told Rositano that Hoehn previously worked for a Japanese toy company, and the businessmen would get him anything he wanted, even Asian hookers.
37. Hoehn made statements to Rositano such as, “You look great today,” “I bet you get hit on all the time,” and “You are such a tease.”
38. Hoehn alluded to his belief that Rositano was Italian, that he loved Italian women, found them sexy and hot, and made note that she must know how to cook. Hoehn would then state, “Oh, it’s because your Italian”, when referencing certain of Rositano’s attributes.
39. Sowards was generally treated poorly by Hoehn, and, on more the one occasion, Hoehn mentioned Sowards being gay. Hoehn even said something similar to “(Sowards) has to be gay or something. Even his voice sounds gay.”
40. Upon information and belief, Sowards, through no fault of his own, took out his frustration with Hoehn against Rositano.
41. For example, Sowards made a comment to Rositano that he would be Hoehn’s favorite if he had boobs.
42. At the time, Rositano did not understand why Sowards was treating her in such a negative way.
43. Sowards initially acted as though he was Rositano’s manager, going so far as to create a time sheet for her to fill out.
44. Upon learning this, Hoehn told Rositano not to fill out a time sheet or keep a record of her time.
45. Upon information and belief, on or about January 2, 2019, Hoehn instructed Rositano to call Hoehn during her drive home to discuss her issues with Sowards.

46. Upon information and belief, a similar phone call from Hoehn to Rositano occurred on or about Sunday, January 6, 2019, which lasted 52 minutes.
47. These early calls, and numerous future calls, followed a similar pattern. Hoehn would make note of an issue between Rositano and Sowards; Hoehn would ask Rositano to call him, or state that he would call her after work; the calls generally began by Hoehn asking Rositano what Sowards had done recently; Hoehn would occasionally note criticisms of Sowards, and Hoehn would eventually meander his way into discussing how he and Rositano should hang out outside of work.
48. In hindsight, Rositano realizes the issue was not between her and Sowards. Instead, it was more likely that Sowards was jealous of the attention Rositano received from Hoehn.
49. Rositano, on or about January 11, 2019, noted Sowards' treatment toward her to her physician, who in turn modified medications that were given for a suspected diagnosis of ADD.
50. During this early period of employment, Hoehn introduced Rositano to "Fun Fridays." Hoehn would impose on employees under his supervision to go to local bars on his (or FreightWise's) tab.
51. Upon information and belief, during a Fun Friday on January 25, 2019, Hoehn became more vocal in his interest in Rositano.
52. Upon information and recollection, on January 25, 2019, Hoehn first followed and then walked with Rositano back to her car as she was leaving 55 South. Hoehn asked if he could bum a cigarette, to which Rositano responded, "you don't smoke." Hoehn proceeded to get in the passenger seat of Rositano's car as she unlocked the vehicle.

53. In the vehicle, upon information and belief, Hoehn asked for Rositano's cell phone, eventually asking if he could see pictures of her from her phone. He proceeded to ask for pictures where she looks sexy or hot or for any nude photos. Disgusted and baffled by these requests, Rositano advised Hoehn she didn't have any nude photos or other such photos on her phone. Hoehn played it off, stating it "was all in good fun," and that he was just playing around.
54. In addition to "Fun Fridays," it was standard for FreightWise to have alcoholic beverages in its kitchen area, and Hoehn both offered beer to and suggested that Rositano drink a beer on multiple occasions while at the office.
55. Additionally, FreightWise would routinely hold an event known as "Schrute Bucks," where employees would bring an item/gift and use their Schrute Bucks to bid on specific items. While initially fun, these events proved to be other ways to harass employees based on physical or personal characteristics.
56. Because she needed a job and otherwise found the relaxed atmosphere at FreightWise refreshing, Rositano attempted to work through her discomfort with Hoehn's acts and the general sophomoric atmosphere at FreightWise.
57. As Rositano was living paycheck to paycheck and bought into FreightWise's pitch as a fast-growing company wherein she could move upward in her career path, she was more vulnerable to exploitation and did what she could to in an attempt to keep her job. Hoehn, knowing of Rositano's living and monetary situation, took advantage of this vulnerability.
58. In this February/March 2019 time frame, Rositano was with a friend, Gracie, at a bar in Columbia, TN.
59. Hoehn drove to the bar to meet Gracie and Rositano.

60. After Hoehn left, Gracie advised Rositano, upon information and belief, that “your boss likes you,” to which Rositano responded he was married, and she would never be with a married man.
61. As an example of Hoehn’s frequent attempts to get in Rositano’s good graces, on March 30, 2019 Hoehn texted Rositano, “I really see big potential in you! I think my best quality is finding potential. Which makes you a true candidate to do well at FreightWise or any other place in the future.” Hoehn later states, in a reply to Rositano’s response, “Glad to hear you are well. That is the “Alexis” I hired.” Ex. 2, p. 1.
62. Upon information and belief, this was around the same time when Hoehn came to Rositano’s office, and asked him to come with him, that he had a surprise. Hoehn took Rositano down the elevator into a large, empty space in the building FreightWise was located in.
63. Hoehn showed Rositano around, noting that their new offices would be right next to each other. Eventually, Hoehn stepped close to Rositano, saying “You know, no one is in here right now except us. We could technically do whatever we want.” Rositano took a step back and responded, “What’s that mean?” Hoehn took another step closer and said, “Oh I think you can use your imagination. Like if you wanted to kiss me, there would be no one here to see it happen except us. You’re looking hot today by the way.” Hoehn proceeded to stroke a piece of Rositano’s hair behind her ear, and Rositano stumbled backwards, fumbling words about needing to get back upstairs. Hoehn acted like nothing had happened.
64. As the situation with Hoehn deteriorated, Rositano’s attempts to compensate became more self-defeating and further increased her vulnerability. For example, sometime in March or

early April 2019, as evidenced by a failed drug test in April 2019 after a number of consecutive “passed” tests, Rositano began taking Xanax, without a recent prescription, to combat the anxiety and stress caused by Hoehn’s advances. At an April 8, 2019 visit with a physician she was prescribed an antihistamine with an off-label anxiety use, but this medicine alone was not enough to get her through the day.

65. Sometime in early April, Hoehn and/or FreightWise made the decision to make Rositano a salaried employee, rather than an independent contractor (in name only, as Rositano’s work did not change).
66. The decision to hire Rositano as an employee coincided with FreightWise’s hiring a Human Resources specialist, Julie Kinnard.
67. Despite hiring this Human Resources specialist, at the time of Rositano’s termination at FreightWise, FreightWise never adopted and/or circulated any employment manual or guidebook or provide any details as to who to contact with complaints related to sexual harassment.
68. Even after moving from a contractor to a salaried position, Rositano always attempted to schedule doctor’s appointments and other occasions where she needed to be out of the office at her lunch time. Further, she took limited breaks—she discovered that taking a break was simply an opportunity for Hoehn to make a remark about how long her break was, implying her position was threatened.
69. The hiring of Kinnard and transfer of Rositano to a salaried employee coincided with issues with Rositano’s paychecks—she has no record of receiving payment for the week of March 18-22, 2019.

70. Further, Rositano received no payments between April 17, 2019 and May 15, 2019. When Rositano did receive payment on May 15, 2019, it only included her work from May 1 through May 15, 2019.
71. On or about April 3, 2019, Hoehn sent an invite to Rositano for the Courtyard Franklin Cool Springs for April 25, 2019. Upon information and belief, an employee who worked remotely, Evelyn Serebryanaya (the sister of the aforementioned Alisa Serebryanaya), was coming to Franklin from Arizona, and Hoehn expected Rositano and Sowards to go out with him and Evelyn. Hoehn asked Rositano on numerous occasions if Rositano wanted to stay with him at the hotel that night in case anyone could not drive home.
72. When Evelyn came to town, Hoehn told Sowards and Rositano that they needed to be available to entertain Evelyn after work hours while she was in town, including a night of dinner and drinks and a separate night of bowling. The first night, Rositano attended, and when leaving the office to go to dinner, Hoehn suggested that Rositano drive him, and that Sowards drive Evelyn. When Rositano questioned why he would make her backtrack and drive him back to the office, he replied that he thought it best that they all ride together.
73. At the restaurant, Gray's on Main, Hoehn chose to sit next to Rositano.
74. Upon leaving the dinner, Rositano and Hoehn got into Rositano's car, and Hoehn asked her to stop for a minute and not leave yet, that he wanted to talk with Rositano with no one else around. Hoehn asked Rositano if she wanted to get a nightcap, to which Rositano declined. Hoehn then grabbed Rositano's chin and acted as if he was going in for a kiss, but Rositano quickly dodged him and ducked her face out of the way. Hoehn acted like it was no big deal, that he was just going to brush a piece of hair off of her face.

75. Hoehn started laughing about the incident, telling Rositano that she was paranoid and that he would never just all of the sudden grab her and kiss her, “unless (Rositano) asked him to, of course.” Rositano responded by saying she really needed to get home and that Hoehn had scared her there for a second when she thought he was trying to kiss her.
76. On the way back to FreightWise, Hoehn mentioned wanting to look through photos on Rositano’s phone, and that he bet she had some “sexy stuff” in there. Rositano said her phone was actually pretty boring and changed the subject.
77. Upon arriving at FreightWise to drop Hoehn off, Hoehn asked Rositano if she wanted to go for a “real night cap,” and Rositano again declined, with Hoehn persisting. Rositano continued declining, saying that she had to get back home to let her dog out, and left.
78. The next day, rather than going bowling, Rositano made up an excuse about her dog being sick. In fact, Rositano herself was sickened at the thought of having to spend more time around Hoehn.
79. A few weeks later, an incident occurred between Rositano and Hoehn in a stairwell at FreightWise, upon information and belief, on or about May 6, 2019.
80. Hoehn attempted to kiss Rositano in a stairwell, and, in Hoehn’s own words, Rositano gave him the “stiff-arm.” Ex. 1, p. 14.
81. As the sexual harassment had turned into physical harassment, Rositano relied more on Xanax to fight her increasing anxiety. After running out of a prior script, she began buying Xanax illegally to cope with the anxiety Hoehn’s behavior was causing.
82. After the May 6th incident, Rositano, again attempting to rationalize the situation and continue working at FreightWise, texted Hoehn on May 7, 2019 at 4:41 pm, asking if she could call him on her way home. Ex. 1, p. 1.

83. Rositano wanted to speak with Hoehn to reiterate her statements after the incident on May 6, 2019, that Hoehn's advances were unwelcome and she was not interested in Hoehn. Attempting to defuse the situation and deescalate Hoehn's interest, Rositano would tell Hoehn to think about his wife and kids—why would he want to hurt them by doing something with her, did he really want to commit adultery? Rositano further sought to establish with Hoehn that not only were the sexual advances unwelcome, but the fact that he had made sexual comments to her around other employees loud enough for those employees to hear was demeaning and embarrassing.
84. On May 7, 2019, Rositano, upon information and belief, engaged in an approximately forty-two-minute phone call with Hoehn, which ended with Rositano lashing out at Hoehn for his inability to understand his inappropriate and unwanted behavior.
85. A few hours after the end of the call, anxious at the fear of losing her job, Rositano texted Hoehn at 8:38 pm, "I'm home and more relaxed now lol. If u wanna talk?" Ex. 1, p. 1.
86. Hoehn did not respond, to which Rositano said, "Hey . . . you said you'd call. I wanted to talk to you, not work," at 9:22 pm. Ex. 1, p. 1.
87. Hoehn responded at 10:20 pm, stating that the night got away from him. Ex. 1, p. 1.
88. Hoehn called Rositano the next morning at 7:45 am, and they had an approximately 43-minute conversation.
89. As Rositano attempted to rationalize the situation and believed she could end Hoehn's romantic interest in her while also remaining cordial with him to retain her job, Rositano's anxiety grew and she began losing self-confidence. During this period, she began taking more Xanax, generally to help her get out of bed and go to work, which ultimately affected her decision making.

90. For example, on May 2019, Rositano texted Hoehn, attempting to ensure he did not stay angry with her and fire her, thanking him profusely for posting a blog she wrote and noting that, “I appreciate you more than you know, and I should tell you more. Thank you.” She followed this up by saying, “You’re a great boss Richard.” Ex. 1, p. 2.
91. Rositano believed that Hoehn thrived on praise, as he repeatedly urged Rositano to say that he was a great boss and would yell at her if she did not, saying he needed more praise in front of the other owners.
92. In another effort to gain Hoehn’s favor, Rositano sent another text at 10:59 am that same day, thanking Hoehn for giving her the opportunity and guidance, stating, “I appreciate you having my back in general. It means a lot to me and I really don’t forget acts of kindness!!” Ex. 1, p. 2.
93. While Rositano had been attempting to deescalate Hoehn’s romantic interest and inappropriate behavior, Hoehn had been repeating in recent calls that that he was the only person at FreightWise she should trust, and that her problems in life were caused by living with her parents and trusting her parents, and that she needed to get her own place and should take his advice. Further, Hoehn said that if she got her own place, he could visit her whenever he wanted.
94. Later that night, or early morning on May 9, 2019, Hoehn texted Rositano a photo of him at a casino that appears to be in Wisconsin at 2:57 am. Ex. 1, p. 3. He proceeded to call her at 3:28 am, and the call lasted five minutes.
95. As noted above, around this time period Rositano, living paycheck to paycheck, received no payment from March 18-March 22, 2019, and no payments from April 17-May 15, 2019.

96. Rositano brought the payment issue up with Julie Kinnard (Human Resources at FreightWise) one time. Upon information and belief, Kinnard had reported the matter to Hoehn and advised Rositano she needed to discuss the issue with Hoehn.
97. This need for money, lack of help from Human Resources, and knowledge of payments owed increased Rositano's desire to balance deflecting Hoehn's sexual advances while also generally appeasing him to avoid potentially losing her job.
98. Desperate for cash and receiving no answers from Hoehn after asking when she would be paid again, Rositano accepted a \$297 loan from Hoehn on May 13, 2019.
99. Rositano did not address this loan with Kinnard, as there were prior instances in which Rositano attempted to report Hoehn's inappropriate behavior to Kinnard, only to have Kinnard immediately inform Hoehn.
100. Kinnard immediately informing Hoehn of any problem Rositano reported ended any thought of Rositano reporting Hoehn's sexual harassment to Kinnard.
101. For example, on May 9, 2019 (the day Rositano received the text from Hoehn at 2:57 am and the five-minute call at 3:28 am), Rositano texted Hoehn at 1:49 pm to please call her when he was back in town in regard to an employment situation. Ex. 1, p. 3.
102. Hoehn, in response, noted that he "just got a call from Julie," referencing Julie Kinnard. Ex. 1, p. 3.
103. Rositano responded by stating she did exactly what Hoehn told her to do if she had an issue with Sowards (report the issue to Kinnard), but that she did not want conflict to arise out of this. See Ex. 1, p. 3.

104. Rositano was very frustrated that a complaint she made to Kinnard about a co-worker, which Hoehn told her to do, had already been reported by Kinnard to Hoehn when Hoehn was not even in the office.
105. From this point forward, Rositano did not feel comfortable raising any issues with Kinnard, especially issues relating to Hoehn's treatment of Rositano, as Rositano believed that Kinnard would just take the complaint directly to Hoehn.
106. However, prior to the hiring of Kinnard, Rositano made comments to Stephanie O'Neal (an employee under the supervision of FreightWise's CEO, Chris Cochran, the CEOs) that Hoehn seemed off, that there was something wrong about him, to which O'Neal agreed.
107. Upon information and belief, Hoehn stated to Rositano that O'Neal was trash, did not do anything important at FreightWise and that he could not stand her. Further, he advised Rositano that O'Neal was previously employed as a stripper and was only employed because she was "Chris's girl," referring to CEO Christopher Cochran.

B. Acts Directly Preceding Rape of Rositano

108. Rositano's anxiety and paranoia continued to increase after the incidents referenced above involving Sowards and Kinnard on May 9, 2019, and the failure to receive a paycheck for at least two separate pay periods.
109. Those actions, compounded with the kissing incident on or about May 6, 2019, sent Rositano into a downward spiral of anxiety and paranoia, which caused her to lose her grip on reality. She wanted to keep her job at FreightWise, but she could not handle Hoehn's incessant sexual harassment.
110. After a call with Hoehn at 9:00 pm on May 9, 2019, Rositano felt as though her position at FreightWise was in question.

111. Rositano had been missing time at work or arriving late because of the increased anxiety and paranoia and Hoehn advised her that she was skating on thin ice. She also knew she was going to miss time on the morning of the May 10, 2019 to appear in court for a speeding ticket.
112. Often times, when Rositano did not show up or arrived late, she had actually been sitting in her car in FreightWise's parking lot, debating with herself whether it was worth it to attempt to continue with the job.
113. Upon information and belief, during a call in early May with Hoehn and in response to a question about her missing work and her desire to work at FreightWise, Rositano confided in Hoehn a history of problems with controlled substances, her current use of Xanax and her need to take some time off.
114. Hoehn advised Rositano that she should take enough pills to get by and that he'd cover for Rositano for any time she had to take off, but that she did not have any sick or vacation days to officially utilize.
115. Due to Rositano's near zero bank account, her knowledge that she would be late to FreightWise on the morning of May 10th (a court appearance), the fact she had not been paid in twenty-three days, her increasing belief that this job could save her, and her knowledge of Hoehn's statements questioning her ongoing employment with FreightWise, Rositano sent multiple texts to Hoehn to appease him. *See Ex. 1, p. 4-5.*
116. After she did not receive much of a response to her initial messages, Rositano sent a picture of herself to Hoehn, dressed up for her court appearance. When she received a semi-positive response from Hoehn, "good luck," she shifted the conversation back to wanting

to have a call with him about her issues with him, even going so far as to text that the call was “Not about work lol.” Ex. 1, p. 4.

117. Hoehn responded by stating he was at the doctor’s office getting a cast off his daughter’s arm, which again heightened Rositano’s paranoia and anxiety. *See* Ex. 1, p. 4.

118. Specifically, Rositano always maintained and expressed her truly held belief that it was morally wrong for Hoehn to pursue her sexually because he was married with two children, whom Rositano had met in December 2018.

119. As Rositano knew that Hoehn was leaving town that afternoon, in an attempt to please him she texted “have a drink with me tonight?”, which she felt safe in asking since she knew he was leaving town and the drink would not occur. Ex. 1, p. 4,

120. Hoehn responded that he was already at the beach and that once he got back in town, “I think everything will be normal again (*sic*) we can have our usual drinks.” Ex. 1, p. 4.

121. This comment further distressed Rositano because she did not want to have, nor would she agree that she had had “usual drinks” with Hoehn. In fact, Rositano maintains that she never had “usual drinks” with Hoehn. Her purpose in any past interaction with Hoehn outside of work was to clarify her lack of interest and her moral repulsion of the thought of a man with a wife and two small children committing adultery, while at the same time attempting to keep Hoehn happy in order to keep her job.

122. After Hoehn responded to another text by stating he was having “the talk” with Sowards now, Rositano attempted to make it clear that she did not want Hoehn to intervene. *See* Ex. 1, p. 5.

123. Later that day, prior to leaving for vacation, Hoehn called Rositano into his office.

124. Upon information and belief, the purpose of the meeting was to move Rositano to a new office, away from Sowards.
125. Rositano was not in favor of this relocation because, upon information and belief, the new location would give Hoehn more private access to her, which she did not want.
126. After the meeting, Rositano continued struggling with anxiety and paranoia. She texted Hoehn that she changed her mind and was happy to switch offices with “Andrew” if that is what FreightWise wanted. Evidencing her diminishing insight and judgment, Rositano stated, “If that’s what everyone still wants? If not, I understand. I can’t compete with technology, but I can learn and work hard. It’s up to you all.” Ex. 1, p. 5.
127. Despite having knowledge of Rositano’s substance abuse issues, and the semi-coherent messages she had sent the previous afternoon, Hoehn texted Rositano the next day, May 11th, 2019 at 9:58 pm, unprompted, stating, “Have a good weekend. Got down here safe and sound. **Drinking whiskey and relaxing. You should do the same**” (emphasis added). Ex. 1, p. 5.
128. Rositano did not respond directly to this message, but in an attempt to ensure she remained employed, she sent Hoehn a neutral text about taking her dog to get ice cream.
129. After Hoehn sent a picture of himself and said, “Hi. Have fun!”, Rositano responded by saying “Hi!” Ex. 1, p. 6.
130. Despite being on vacation with his wife and two children, Hoehn again, unprompted, texted Rositano the next day, stating, “How are you? Speedster 94!!!”, which Rositano believes was a reference to her recent court appearance for a traffic ticket. *See* Ex. 1, p. 6.
131. At that point, Rositano had been ruminating, and her anxiety and paranoia were building (leading to a lack of sleep and proper self-care and additional Xanax use). She responded

by stating, “Hating my life and wondering how the **** I ended up here in this hell hole of a house and wondering what I can sell that’s worth enough to get my own place and be free from my hateful family.” Ex. 1, p. 6.

132. Hoehn responded, “I wish I could buy you a drink. Next week I will be back to normal and we can have our usual drinks and hang out.” Ex. 1, p. 6.

133. At the time, Hoehn was well aware of Rositano’s substance abuse problems and her request to take time off to allow her to get off of Xanax.

134. Hoehn was also aware that Rositano was struggling financially, as she had been requesting updates on the status of her payment for April 17 through April 31, and it was now May 12.

135. Hoehn continued texting with Rositano, stating “I just hate hearing the pain you are in. Thanks for everything.” Despite having been angry with Hoehn five days prior for sexually assaulting her in a hallway, Rositano responded, “thank you for caring. First person in a very long time who genuinely has. No worries.” Ex. 1, p. 6-7.

136. In Rositano’s next text message she sent him a picture of her bank account, with a balance of (\$3.42), indicating the true purpose of her continued texts, her need for money and her awareness that FreightWise owed her money. *See* Ex. 1, p. 7.

137. Believing herself to be out of options, she asked Hoehn to Venmo her some money. (Of course, this would not have been required had Rositano received her paycheck. In fact, Rositano’s lack of options and empty bank account is a but for cause for everything that happened after this point, which again could have been avoided had Rositano been promptly paid). *See* Ex. 1, p. 7.

138. Hoehn responded that he did not know how to Venmo, asking Rositano for wiring information, so Rositano sent him her banking info and home address. *See Ex. 1, p. 7-8.*
139. The next day, May 13, 2019, Hoehn sent Rositano \$300 on Venmo. *See Ex. 1, p. 8.*
140. This money (which Rositano would not have needed had she been paid) allowed her to buy gas to go to work, so Rositano responded in a happy, appreciative manner. She even attempted to point out how productive she was at work the past week and made a comment about Sowards listening to a “Lilo and Stich playlist.” She quickly added, “It’s okay tho! Not bad” to ensure she didn’t sound like she was complaining about her job. *See Ex. 1, p. 10.*
141. The following day, May 14, 2019, Rositano texted Hoehn to advise him that Stephanie O’Neal (a co-worker) was listening to an audiobook romance novel. By this time, Rositano believed reporting any workplace issues to Julie Kinnard was a waste of time, so she went directly to Hoehn. She tried to approach Stephanie’s audiobook in a joking way, saying that it was funny because the book could be heard from outside of Stephanie’s office. *See Ex. 1, p. 10-11.*
142. Rather than advising Rositano to report the incident, Hoehn responded by saying “Ha!!!,” and “I wonder how the dev team is handling this.” *Ex. 1, p. 11.*
143. The following day, May 15, 2019, Rositano checked in with Hoehn at 2:24 pm, asking how the beach was. Again, despite knowing of her issues with substance abuse, he texted her a picture of his beer and the ocean at 8:24 pm. Rositano responded by saying “Yay,” and noting she was going out to grab food, attempting to end the conversation. *See Ex. 1, p. 11.*

144. Rather than attending to his wife and two children on vacation, Hoehn responded at 8:52 pm by saying, “Anything fun planned for this weekend? Are you going out with friends? I miss hearing about your life and having a good time.” Ex. 1, p. 11.
145. Already anxious, paranoid, and in a downward spiral, this comment further increased Rositano’s suffering. She had stopped talking with Hoehn about personal things because Hoehn had abused her trust by attempting to kiss her in the stairwell in early May, and she had no interest in him nor any interest in being a party to adultery. Further, she was shocked that Hoehn would make these comments while still on vacation with his family.
146. The next morning, May 16, at 5:50 am, Hoehn followed up, having not received a response from Rositano the night before. He wished her a great day, and sent her a picture of the ocean.
147. Rositano took Hoehn’s May 15 text very poorly—she was unable to sleep and, after seeing Hoehn’s text the morning of the 16th, avoided waking up until 9:19 am to delay going to work. Rather than blaming Hoehn’s harassment, she texted Hoehn and blamed her dogs and family for her inability to get to work on time, and then at 9:33 am made up a story about her mom falling and getting hurt and that Rositano could not come in timely because she needed to care for her mother. Ultimately, at approximately 10:58, Rositano noted she was at work. Rositano said that she would “come in on Saturday or Sunday” to catch up on work, which she occasionally did, resulting in her working over forty hours per week. To make herself look better, she noted that Sowards had left early the day before and was leaving early again on May 16. See Ex. 1, p. 11-12.
148. Rositano then texted Hoehn pictures of her desk cleaned up and decorated at 11:00 am (Hoehn had made fun of her before for having a bare desk). After he didn’t respond, she

interpreted his lack of response to mean that he did not approve of her using company time to decorate her desk, so at 11:52 am, Rositano attempted to justify it, saying she had been at the office well before she actually first texted him at 10:58. *See Ex. 1, p. 12.*

149. Due to the lack of a response and having already made up excuses for failing to arrive at work on time and her fear of losing her job, Rositano's paranoia and anxiety took over. She continued texting Hoehn to get a response, getting more frantic the longer the gap in time between communication extended, saying at 11:52 am that she hopes he has a great day, and she misses him telling her about his life, and she misses him generally. *See Ex. 1, p. 13.*

150. Still having not received a response by 11:56 am and seeking positive affirmation to convince herself she would remain employed, she sent him a picture of herself wearing sunglasses and a FreightWise t-shirt. *See Ex. 1, p. 13.* Given that her initial concern was she thought Hoehn believed she was not working, these acts would have been self-defeating, but for the fact that Rositano knew that Hoehn responded positively Rositano opening up to him.

151. Hoehn immediately responded to this text message, at 12:04 pm, stating, "Hey sexy Invoice-Factory. You look like a rockstar." *Ex. 1, p. 13.* This immediate response affirmed, whether consciously or subconsciously, to Rositano that the way to keep her job was to simply appease him when she could but only in a limited fashion.

152. Rositano responded, stating first at 12:05 pm that she has been "kickin ass and taking names, so ...one could say that lol." In response to his "Hey sexy Invoice-Factory," she responded in kind, "Hello sexy boss guy!", in an attempt to keep Hoehn happy and receive some reassurance about her job. *See Ex. 1, p. 13.*

153. Taking the conversation in the opposite direction, Hoehn responded at 12:48 pm, stating, “Wow. Am I (*sic*) little bit sexy to you? You just made my day – thanks!!!” He proceeded to text Rositano a picture of himself at the beach, and the statement “Pina Colada time.” Rositano responded with a generic compliment, trying to keep the conversation non-personal, and told Hoehn to stop fishing for compliments, stating “you know you are.” Hoehn again responded in a personal fashion, stating, “I don’t. I like hearing it from you. I am needy.” Again, Hoehn was on vacation at the beach, with his wife and two children. *See Ex. 1, p. 13.*

154. Rositano responded by telling Hoehn he was not needy and said “you know how I feel about you. You’re the bees knees!” *Ex. 1, p. 13.* Again, this was an attempt by Rositano to pacify her boss, Hoehn, while also avoiding any serious comments about her feelings. She had told Hoehn exactly how she felt about him on May 7, 2019, when she raised her voice and became argumentative with him over him attempting to kiss her and flirting with her at work (especially in a way that others would notice). In that conversation, she told him she was not interested in him, and pleaded to his conscience, begging him to recognize that he had a wife and two young children and surely Hoehn did not really want to be an adulterer.

155. Confirming that the May 7, 2019 conversation occurred and knowing that Rositano was not actually interested in him, Hoehn responded by stating, “**Hm . . . but still got shot down. What do I need to do?** (emphasis added). *Ex. 1, p. 13*

156. After not receiving a response within 18 minutes, Hoehn texted again, trying to seize the opportunity he thought he had while also keeping Rositano guessing as to his true motives,

stating “Oops. It got quite (*sic*) from you... I must have pushed a button () just kidding.”

Ex. 1, p. 13

157. Rositano then responded saying she was not trying to ignore him, and maybe he should call her (in her mind, the purpose of the call was to ease Hoehn into a conversation about her lack of interest and need for boundaries, which she felt more comfortable doing through conversation as opposed to texts). *See* Ex. 1, p. 14.

158. Taking the comment in an absolutely inappropriate fashion from any man who has been rejected, let alone a vulnerable female’s boss, Hoehn came at Rositano again, stating “**Well . . . what’s in it for me? Like I said; I’m still a bit shocked at getting the stiff arm a few weeks back**” (emphasis added). Ex. 1, p. 14

159. Rositano, avoided the sexual nature of the conversation by saying excuse me, “I just thought you actually might have some down time to talk about all that but it’s okay if you don’t lol.” Ex. 1, p. 14. Rositano’s goal remained to have a normal employee/employer relationship, which included reiterating to him that she was not interested in him romantically.

160. Once again, despite knowing of Rositano’s issues with substance abuse, Hoehn stated, “Yeah. We need to have a drink and talk face to face. I look forward to hanging out soon.”

Rositano simply replied, “yep.” Ex. 1, p. 14.

161. Hoehn later sent her another picture of himself, with the beach in the background. Ex. 1, p. 14.

162. Demonstrating that she was able to complete her work despite showing up late, Rositano texted Hoehn at 4:06 pm, stating “I need something to do . . . I’m done with everything just

waiting on tickets . . .” Ex. 1, p. 14. The sole purpose of this text was to establish that she finished her work, despite showing up multiple hours late.

163. Less than two minutes after sending this, Hoehn sent a message to Rositano, stating, “I heard you told Julie you have time on your hands.” Ex. 1, p. 14. As noted, Julie Kinnard is FreightWise’s Human Resources employee. Rositano was befuddled—she had made no such statement.

164. Rositano’s paranoia and anxiety flipped back into high gear, and she was back to the state of mind she was in earlier in the day. She instantly believed that someone must be saying things about her to Julie Kinnard. She questioned Hoehn, asking who said that to Kinnard, and immediately followed up with the same question, stating it was a problem that people were putting words into her mouth, Hoehn further exacerbated the situation by saying, “I wish you would tell me what you did,” when in fact Rositano had done nothing. Ex. 1, p. 15.

165. Hoehn then stated, “you seem to get worked up. All is good I’m glad you are doing well!! And helping.” This was after Hoehn had advised less than one week prior that she was on thin ice for missing time at work. Hoehn continued, “You are fine. And I have your back just like you have mine,” reinforcing prior statements he made that he was not only the only person at FreightWise Rositano could trust, but that he was truly the only one who was looking out for her best interests, including her family. *See* Ex. 1, p. 15-16.

166. After going out that night, and, upon information and belief, under the influence of Xanax and a small amount of alcohol, Rositano sent Hoehn a text at 9:43 pm, noting that she just left ladies night and had a present for him, a blue dream marijuana vape product. *See* Ex. 1, p. 16. Hoehn previously asked Rositano to obtain marijuana.

167. Hoehn responded at 9:51 pm, saying, “cool. Let’s do it together.” He then added, “How was ladies night. I’m jealous – bet a bunch of young guys going after you.” In response, and again under the influence of Xanax and a small amount of alcohol, Rositano sent a picture of herself to Hoehn that she deemed unattractive, as she was completely clothed and posing in front of a shower curtain in her parents’ home. *See* Ex. 1, p. 16-17.
168. Rositano further texted, “I think I miss you,” and, when Hoehn didn’t respond immediately, she said “you ghostin,” and “I know you hate it not sexy in the slightest.” Ex. 1, p. 17.
169. The next morning, May 17, 2019, at 5:41 am, Hoehn responded “Hey sexy/beautiful! I do miss you a lot. Sorry I was out – had a few too many at the beach and got super sleepy. **And you even being super horny... I wish I could have helped last night**” (emphasis added). Ex. 1, p. 17.
170. Rositano did not respond to Hoehn, and three and a half hours later he responded, “Wow – That is harsh. Yikes... You would have rocked my world.” Ex. 1, p. 17.
171. Rositano has no idea what Hoehn was thinking when he sent these messages—both her recollection and the phone records and other messages show no record of her having ever said anything to Hoehn about being horny. Rositano did not respond.
172. Rositano’s next message to Hoehn was at 11:51 am on May 17, 2019. Rositano completely ignored the outrageously inappropriate comments made by Hoehn. Ex. 1, p. 17.
173. In keeping with the theme of avoiding FreightWise after receiving distressing messages or calls from Hoehn, Rositano texted that she had been sideswiped by a school bus and was going to be late for work. *See* Ex. 1, p. 17.
174. Continuing his brazen disregard for Rositano’s denial of his sexual advances, Hoehn immediately shifted the conversation texting, **“I’m still sad about missing your sexy**

pictures last night. Very excited to wake to those this am” (emphasis added). Ex. 1, p. 18

175. Thus, despite being Rositano’s boss, knowing about her drug abuse issues and general financial vulnerabilities, Hoehn couldn’t even take the time to ask about the car accident. Instead, he acknowledged the crash and then one minute and thirty seconds later went back to grieving over how “sad” he was “about missing (Rositano’s) sexy pictures last night.” *See Ex. 1, p. 18.* This conduct, in and of itself outrageous for an employer, is exacerbated by Hoehn’s knowledge of Rositano’s financial and emotional vulnerability.

176. Rositano ignored Hoehn’s disgusting text message.

177. To further avoid Hoehn’s sexual comments, Rositano turned the conversation to Sowards’ work attendance issues. *See Ex. 1, p. 18.*

178. Hoehn told Rositano to tell Julie Kinnard, the Human Resources Specialist, about Sowards, or “tell Chris. Would be better.” Chris is Christopher Cochran, the CEO of the company. Hoehn continued that Sowards never advised Hoehn that he was out, “but tells me all the time when you are late. You need to let Chris know.” *See Ex. 1, p. 18.*

179. Rositano chose not to speak with Chris Cochran about the issue. However, Chris Cochran later called both her and Sowards into his office, threatened their jobs, and asked why Rositano was bothering Hoehn on his vacation and noted that he would get rid of the entire invoice department if he had to. After Rositano sent a long text message setting out how miserable she felt about everything, Hoehn responded by stating he was “talking to Chris and wanted to help you. I suddenly said I will take care of it and I think (he, Chris, misunderstood),” insinuating that his talking to Chris did more harm than good. He continued texting her, stating, “I want to help you and not hurt you. Please don’t lose hope!

You are the one person that defines that for me. I like your positivity. It is full moon. I remember you told me that odd things happen on full moon.” *See Ex. 1, p. 20-21.*

180. Rositano eventually responded, noting she decided not to raise the issue and that she asked Sowards if he really said the things Hoehn attributed to him about Rositano, and Sowards denied making such statements. *See Ex. 1, p. 21.*

181. Hoehn responded that he “was under the impression (Rositano) wanted (his) help with Larry because he was missing work. I guess I miss understood. Sorry. But keep in mind Chris heard this from Julie so I can take your blame but only so much.” *Ex. 1, p. 22.*

182. Rositano responded with a long text message to Hoehn, questioning why she should trust him, among other things, only to send another text message two hours later, on the morning of the May 18 at 1:25 am, apologizing for saying rude and sarcastic things, and going back to blaming her living situation as the problem. *See Ex. 1, 22-23.*

183. Hoehn responded again, requesting that Rositano “please believe” him, that Rositano is “important to (him). (He) hates to have caused issues. Sorry!!! (He) needs to stop doing that.” *Ex. 1, p. 23.*

184. Rositano responded sixteen hours later, trying to deescalate and minimize the situation, saying she felt fine now. *Ex. 1, p. 23.*

185. The next day, after a series of normal texts, Hoehn asked, “BTW, do you want to hang out on Tuesday? After work I mean.” Rositano responded with a quick “Sure,” noting she had to get back to her driver’s education class to end that conversation. *See Ex. 1, p. 24-25.*

186. Hoehn, however, continued, stating, “Ok. By the way I have a soccer game at four. I hope that it’s manly enough for you. Playing in the rain. With or without a beard.” *Ex. 1, p. 25.*

187. Five hours later, Rositano replied, again trying to make the point that she was not interested in a non-confrontational fashion, saying, “whatever makes you happy. I don’t really care about manliness lol. I just like beards and go getters.” Ex. 1, p. 25. Rositano recognized that Hoehn’s comment was referencing a photo of a man whom Hoehn saw on her Facebook page that she previously dated who had a beard; Hoehn had described the man in the photo as “manly” simply because he had a beard.

188. The following day, Rositano, having a work question for Hoehn, entered his office, someone else was there, and he yelled at her for walking in. In an attempt to lessen her boss’s anger, Rositano texted Hoehn a question about what he was doing in the office with a little guy wearing khakis, that she was just being nosy, and the only reason she walked into his office was to give him a big hug. In fact, she never once voluntarily hugged him. *See* Ex. 1, p. 25.

189. Later, when Hoehn finally had time to answer Rositano’s question, he continued to pursue an intimate relationship with Rositano, taking pictures of her with his phone in her office and then texting the pictures to her. *See* Ex. 1, p. 25-26.

C. The Rape

190. When Rositano responded to the text message referenced in Paragraph 164, Rositano did not plan to have a drink with Hoehn, she was simply attempting to end the conversation. When the day came, Rositano initially resisted going out with Hoehn.

191. However, knowing how important her job was to Rositano, Hoehn stated that going out was important for her job, that he had big news to tell her, and that he was not taking her to a bar, just the Honeysuckle restaurant.

192. Given that the CEO had just threatened her job, and Hoehn had previously said she was on thin ice, Rositano believed if it was strictly work related, and important for her job, that she should attend. Further, Rositano believed the Honeysuckle in Franklin, TN to be a safe destination.
193. As Honeysuckle was a ten to fifteen-minute drive from FreightWise, Hoehn proposed that they take one car, which they did—Rositano's.
194. While at the Honeysuckle, Rositano pressed Hoehn for the information related to her job. Hoehn refused to answer, encouraging Rositano to have a drink, despite his knowledge of her substance abuse problems. Photos show she had ½ of a beer at Honeysuckle. Upon information and belief, Hoehn became intoxicated or was in the process thereof while at the Honeysuckle. Hoehn did make vague references to a promotion at the Honeysuckle.
195. When Rositano finally decided to leave as she was not getting any information about the job, Hoehn proposed they keep hanging out. As Rositano was driving Hoehn back to FreightWise, Hoehn pointed out the Tin Roof in Cool Springs, telling Rositano to pull in there and they could talk about the job.
196. Upon information and belief, Hoehn was intoxicated upon arrival to the Tin Roof or became intoxicated at the Tin Roof. Further, at the Tin Roof, Hoehn made it clear that he was propositioning Rositano. He advised Rositano that he was going to talk with Chris Cochran and Julie Kinnard about a promotion for Rositano the next day and that she was going to get the promotion.
197. Hoehn continued, asking Rositano "What have you done for me?" Rositano asked what he meant, to which Hoehn replied, "I got you this promotion, covered for your lateness. Don't you want to be horny, have sex?"

198. Rositano asked Hoehn if he was telling her that she needs to have sex with him for her job? Hoehn responded “No, you said that, I didn’t. If you want a future here at FreightWise, you need to show your appreciation. One way you could do that is by sleeping with me. If you want to advance, you have to do something for me, and sleeping with me would be nice. Then you could have a great career here. It would be good for both of us.”
199. Rositano again attempted to convince Hoehn that she was not interested in him, she did not want to have sex with him, and that he should not want to commit adultery. As the night wore on, Rositano, upon information and belief, dealt with the stress by taking shots of alcohol, furnished, paid for, and encouraged by Hoehn and/or Freightwise.
200. Hoehn had taken multiple shots of alcohol himself and was, upon information and belief, intoxicated.
201. Eventually Rositano had enough, her frustration with Hoehn boiled over, so she said she was leaving, and left. Because they had taken one car, Hoehn had to drive back with her.
202. Shortly after leaving the parking lot, Hoehn demanded that Rositano pull over and have a conversation with him because he wanted to calm her down and he could tell she was very upset.
203. Upon pulling over, Hoehn took the keys to Rositano’s car out of the ignition and hopped into the backseat, refusing to let Rositano in unless she would sit in the back with him and talk. At the time, Hoehn’s penis was hanging out of his pants.
204. Attempting to get the keys, Rositano reached into the backseat. While doing this, Hoehn grabbed her by the shoulders and pulled her sit next to him.

205. Rositano repeatedly told Hoehn she did not want to have sex with him and that it was wrong. Having met Hoehn's wife and children, Rositano was very aware of their existence and held a sincere and strong belief that adultery is immoral.
206. He proceeded to force himself on top of her, popping a button off her pants and ripping her underwear. He then forced himself inside her, at one point flinging her over so she was on her knees, and he was holding down her shoulders.
207. The penetration lasted approximately two minutes. Hoehn ejaculated onto Rositano's back. After finishing, Hoehn, upon information and belief, unintentionally left bodily fluids in Rositano's car, smudging his hand across the back headrest of the passenger's side seat.
208. Rositano cried as she put her torn clothes back on.
209. Rositano never consented to having sexual intercourse with Hoehn.
210. Lacking her consent, Hoehn forced himself inside Rositano, penetrating her.
211. At 12:25 am the following day, May 22, 2019, Hoehn texted Rositano, "Hi. I had a good time this evening. See you tomorrow." Rositano responded, "Ok see you tmrw. Going to sleep." Ex. 1, p. 26.
212. Rositano cannot recall whether certain calls that were made that night occurred before or after the rape, but phone records establish that she tried to call her mother at 11:00 pm, which was potentially before the rape. Upon information and belief, the records also show that after the rape, she attempted to call her friend Gracie Sims at 11:46 pm, her friend Justin Johnson at 11:47 pm, another friend Lindsey Rees at 11:49 pm, Holly Moore at 11:49 pm, Amanda O'Neill at 11:51 pm, Chadwick Moore at 11:51 pm, Willa Putnam at 11:52 pm, Justin Johnson again at 11:53 pm, Lindsey Rees again at 11:54 pm, and Gracie Sims again at 11:55 pm.

213. None of the above calls, except for the 11:00 call, were answered. Upon information and belief, Rositano was attempting to talk with any friend she felt comfortable talking to in the wake of the rape. Instead, the next person to send her a message or call her was Hoehn at 12:25 am, on Tuesday, May 22, 2019.

D. The Aftermath

214. In keeping with her pattern of avoiding FreightWise after traumatic events involving Hoehn, Rositano was late to work the following day, identifying an issue with being unable to get a cone around her dog's neck as the excuse. *See Ex. 1, p. 26.*

215. When Rositano arrived at work, she asked how Hoehn's meeting with Kinnard and Cochran went. The promotion was going to be to Stephanie O'Neal's position, accounts receivable/office coordinator. O'Neal, who was being promoted to an auditor's position, worked in Cochran's department, not in Hoehn's department, so Rositano viewed this promotion as a way to stay at FreightWise despite what Hoehn had done.

216. Hoehn texted Rositano that evening at 6:12 pm, asking her to call him about the meeting. Rositano responded that she would in a bit, to which Hoehn responded that he may be eating dinner with his two children. *See Ex. 1, p. 27.* Upon information and belief, Hoehn referenced his children to reinforce to Rositano to keep the sexual battery quiet, given Rositano's previously expressed concern for his innocent family. Rositano called him that night at 7:09 pm, and they had a 23-minute conversation. During this conversation, Rositano was advised she would be meeting with Julie Kinnard, Stephanie O'Neal, and Chris Cochran the following day.

217. The next evening at 9:23 pm, Hoehn sent Rositano a picture of an alcoholic beverage, adding that she did well in the meeting today and that "Chris and Julie are excited!" *Ex. 1,*

p. 27. Chris is the CEO who had threatened to terminate Rositano's employment with FreightWise just seven days prior.

218. On May 24, 2019, Rositano again delayed going into work. This was, at least in part, caused by her anxiety and insomnia relating to Hoehn's harassment and rape.

219. The following workday, May 28, 2019, Rositano was again late for work. She texted Hoehn at 9:16 am, stating she was late because she had to pay a ticket at the courthouse. *See Ex. 1, p. 28.*

220. Hoehn chided her at 10:21 am, stating, "where are you???" This does not look good after a long weekend." When she arrived to work shortly thereafter, Hoehn said to next time let him know in advance, that it was "10:30 am." *See Ex. 1, p. 28.*

221. In an attempt to avoid having to come in on the upcoming Saturday to work, Rositano responded by stating that she had talked to a lawyer, had a meeting with the school board, probably on Saturday, meaning she could not come into work. *See Ex. 1, p. 28.*

222. The following morning, May 29, 2019, Rositano made up a story about her mother throwing coffee on her in the morning to justify coming into work late. She even went so far as to ask Hoehn for help in finding a place to live. Hoehn's response was, "Sure I will help. I land at 7:00 pm and can come by the office or meet you for a drink/dinner." *See Ex. 1, p. 29.*

223. Hoehn's flight was delayed and was now scheduled to arrive at 7:46 pm. He texted Rositano to tell her he could still meet that evening, and that, "Of course [he] would love to have a drink." Rositano responded by saying okay, just doing things at work. Upon landing, Hoehn sent a message saying, "Hi," which Rositano ignored, responding an hour

later by saying see you tomorrow. Rositano never said anything about having a drink. *See* Ex. 1, p. 30.

224. The next day, at 10:29 pm, Hoehn texted Rositano a picture of what appears to be a glass of whiskey, saying, “Wish you were here.” Ex. 1, p. 30-31.

225. The next day, May 31, 2019, a Friday, Hoehn apparently started his “Fun Friday” early at a local bar, texting Rositano, at 4:29 pm, “Will you be coming and joining us?” and then “Don’t worry about those locations.” Ex. 1, p. 31. The locations referred to a project Rositano was handling at FreightWise.

226. Upon information and belief, Hoehn began drinking earlier in the day, and chastised Rositano earlier in the day to ensure she finished the locations.

227. Wanting to keep her current boss happy, especially in light of the pending promotion, but also desperately wanting him to stop showing interest in her, Rositano responded at 4:33 pm that this was the only time she could finish the locations and she would “see if you guys are still there when I finish.” Hoehn encouraged her to come by anytime, stating, “We would love to have you.” Rositano further asked about the check she received on May 30, 2019, as it was much smaller than expected. This difference was because when Rositano was paid as a contractor, despite the fact she was clearly not a contractor and FreightWise did not even bother issuing a Form 1099-MISC to Rositano, FreightWise had not been withholding taxes. Later, Rositano realized that she still had never been paid for the pay periods between March 15, 2019 and March 22, 2019 and between April 17, 2019 and May 1, 2019. Despite raising questions about her checks to both her supervisor (an owner/member of FreightWise and Julie Kinnard), neither reviewed her file close enough to realize the missed payments. Ex. 1, p. 31.

228. After Rositano mentioned still needing to pay Hoehn back for the \$300 loan, Hoehn replied at 4:40 pm that it was a private loan. Ex. 1, p. 31.
229. Having not heard from Rositano, Hoehn texted her at 5:28 pm, stating that they were wrapping up, and said to Rositano, “Let me know when you have time to have a drink or hang out.” Ex. 1, p. 31.
230. Less than 17 minutes later, and without any comment to Rositano, Hoehn returned to FreightWise, presumably to find Rositano, knowing she was the only one still at the office. Upon arriving, and not seeing Rositano’s vehicle, Hoehn texted Rositano to tell her to lock the door the next time she leaves the office. Ex. 1, p. 31.
231. In fact, Rositano was still in the office, and when Hoehn walked into the office, he was belligerent and intoxicated. He was yelling at Rositano for not coming out to have fun and have drinks with him and telling her that she was acting weird.
232. A few days later, Hoehn took a picture of Rositano on his cell phone and posted it to “Slack,” an instant messaging program used by FreightWise. Rositano asked him to remove it, and he refused. Rositano said it was unprofessional, and Hoehn’s response was, “that’s what you get for being rude to your boss.” In a text message on June 4, 2019, while Hoehn was heading to England, Rositano texted Hoehn and references this act, telling Hoehn it was not necessary. *See* Ex. 1, p. 32.
233. On Monday, June 10, 2019, Hoehn was back in Brentwood, at a bar at 4:45, and asked Rositano to join him. As this was the first time Rositano would have a chance to speak to him since he came back, she again thought she could still convince him to just be a normal boss, that his conscience would prevail. *See* Ex. 1, p. 32.

234. Upon information and belief, Rositano recalls that when she met him on this day, he attempted to say the rape on May 21, 2019 was wrong. Not because it was nonconsensual, but because it was not passionate, or loving, it was in the back of a car and they were not even in a relationship. Hoehn said it should have happened at a hotel. Hoehn completely disregarded Rositano's attempts to convey that it was wrong because it was nonconsensual, she never wanted to be a party to adultery.
235. On Tuesday, June 11, 2019, at 3:02 pm, Hoehn decided to leave work and head to 55 South, letting Rositano know he was going to watch soccer. There was no purpose for this message other than to try to lure Rositano out to him. *See Ex. 1, p. 33.*
236. On June 11, 2019, Rositano was notified that she had to formally interview for the "promotion" that she received on May 23, 2019. Rositano clearly believed she had received the promotion, as she texted a friend, "Seth," on June 10, 2019, stating, "I got a promotion . . . I handle the money," referencing the accounts receivables position.
237. Rositano responded to Hoehn's text from June 11, 2019, establishing the date this "interview" was to occur, noting she was working on editing her resume before the interview on Thursday. *See Ex. 1, p. 33.*
238. A forensic search of Rositano's phone confirms she logged into her indeed.com profile on this date, upon information and belief, to download a copy of her resume.
239. On the morning of June 12, Kinnard informed Rositano that her interview would be that day, rather than June 13.
240. Rositano was brought into a room with Hoehn, Kinnard and Chris Cochran. She was shown a stack of resumes FreightWise received for its job posting, which was for an accounting position. Rositano was told that a number of these people had specific degrees or

certifications in accounting, and that Rositano would no longer be getting the job. In fighting for the promotion, Rositano noted that she had been taught by her grandfather, Len Rossi, who owned Len Rossi's Health Foods, how to do books, and she later learned how to balance sales sheets as a counter manager in a prior retail position.

241. Despite not receiving the promotion to accounts receivables and receiving no increase in pay, Rositano was required to continue additional duties she was assigned after originally being "promoted," which included acting as office coordinator. These duties included ensuring there were plenty of snacks and drinks in the break room and, taking instructions from Hoehn, including a specific request to first order a spray bottle, and second use the bottle to water Hoehn's bonsai plant named Rupert.

242. Hoehn and Rositano had two phone calls after work on June 12, one at 5:07 pm and another at 5:39 pm, lasting a total of fifty-two minutes.

243. Later that day, at 7:42 pm, Hoehn texted Rositano a picture of him at his home grilling, presumably for his wife and two children, and thanked her for "caring today." The photo included a glass of wine because there is nothing like saying "thank you" to a person known to struggle with substance abuse than to continue sending such person photos of alcohol. Rositano ignored this text. He texted her again at 9:05 pm, which she also ignored. *See Ex. 1, p. 34.* Rositano did not want to encourage Hoehn to believe that she cared for his wellbeing, as opposed to caring about keeping her job.

244. On June 14, 2019, Hoehn had another "Fun Friday." Rositano went, again simply to avoid having to deal with Hoehn's badgering her about not coming out and acting weird. Upon information and belief, it still took coaxing to get Rositano to go have a drink, as Hoehn called her for 15 minutes at 5:32 pm and she called him back for 7 minutes at 5:48 pm.

245. After Rositano left, Hoehn texted Rositano at 7:55 pm, stating, “Glad you same (*sic*) to have a drink. I miss us hanging out. Say hi to Justin.” Ex. 1, p. 35.
246. Again, Rositano ignored Hoehn. Ex. 1, p. 35.
247. On June 15, 2019, Hoehn began texting Rositano about a rental property he was cleaning, noting that it was nasty all day long and he’d decided to have a beer now. Two and a half hours later, Rositano simply responded, “Ugh I feel like crap.” Ex. 1, p. 35.
248. Again, despite knowing of Rositano’s issues with substance abuse, Hoehn texted, at 9:02 pm, “**the only way to detox is to re-tox!!!**” (emphasis added). Two hours later, Rositano responded, making an excuse for why she hadn’t responded sooner, that she was tired from the week, and was going to bed. Ex. 1, p. 35.
249. In wash, rinse, repeat fashion, Rositano again avoided FreightWise the following Monday morning, June 17, 2019, texting Hoehn at 8:23 am that she would be late because she was out of medication. She specifically referenced “my medication,” indicating that Hoehn was aware what medication she was taking. Rositano’s medical records do not indicate that she picked up a prescription or saw a physician within ten days of June 17, 2019. Rositano later texted Hoehn at 10:06 am, noting that she had not picked up the medication yet but was still coming in later. *See* Ex. 1, p. 35-36.
250. On April 15, 2019, Hoehn promised Rositano that he would purchase her an Apple Watch if she was still working for the company in sixty days. Hoehn had an employee, Cody Hazelwood, add it to Hoehn and Rositano’s calendar. On June 18, 2019 After Rositano was still employed after sixty days, Hoehn did attempt to buy her an Apple Watch, which Rositano declined, stating, that she really needed was a laptop for work and did not want a personal gift from Hoehn. Accordingly, at 5:01 pm that day, she sent Hoehn a link she

received from Cody Hazelwood, showing a good deal on a 2015 model of a MacBook. *See* Ex. 1, p. 36.

251. The price was \$700, to which Hoehn replied, “Hm. Not bad.” Ex. 1, p. 36.

252. Six minutes later, without a response from Rositano, Hoehn again sent Rositano a picture of a bottle of alcohol, for the purpose of showing Rositano that Hoehn’s friend was in Positano, Italy. Rositano’s simple response was, “Cool.” Ex. 1, p. 36.

253. Upon information and belief, Hoehn sent a “Slack” message to Rositano on June 19, 2019, offering to loan Rositano more money. Rositano tried calling Hoehn at 5:28 pm, and then sent a text at 5:31 pm, saying, “sorry I just saw your slack. I think I’ll wait on that. I still have to pay you back anyways. Thanks though.” Ex. 1, p. 36.

254. Hoehn responded, “I am happy to help. We just need to talk it through,” adding, “Maybe you can help me clean my rental apartment . . . I have been working on it most evenings.” Rositano’s response to that comment was, “Oh.” Ex. 1, p. 36. Obviously, Rositano had no desire to go to the rental property of a man who raped her under the premise of being paid to help him clean the apartment. Rositano had similarly declined several such requests Hoehn made in person. While Rositano eventually said, “I can help” to end the conversation, she never intended to and did not help clean the apartment.

255. Shortly thereafter, at 5:40 pm, Hoehn texted Rositano, “Let’s talk about a trade tomorrow.” Rather than respond, Rositano “liked” the comment. *See* Ex. 1, p. 37.

256. Clearly flustered by Hoehn’s latest advances towards her, Rositano gave additional excuses to not come to work the next morning, noting that her “power is out.” *See* Ex. 1, p. 37.

257. After Rositano came into work that day and completed her tasks, she asked if Hoehn needed anything else done. Again, she was showing her ability to complete all tasks despite being

late. This is when Hoehn told Rositano to order a spray bottle and then to spray his Bonsai plant named Rupert.

258. Immediately after the Bonsai text, Hoehn followed up by saying, “Sneak out and have a beer with me. We can discuss stuff.” Ex. 1, p. 38.

259. Rositano responded that her job duties, as advised by Hoehn, included covering the phones until 5:00 pm. Hoehn asked her to sneak out around 3:00 pm. Regardless, she advised she was not going to have a drink, but she would come to discuss issues with him if he would be there once another employee came back to handle the phones/Zendesk. Ex. 1, p. 38.

260. After Hoehn responded he would be back in the office by then, Rositano, thinking she was going to be able to talk to him about his inappropriateness that afternoon, advised Hoehn he could come grab a beer and talk while she handled Zendesk. Despite Rositano’s multiple follow-ups, Hoehn did not respond and did not come back to the office. *See* Ex. 1, p. 39. Upon information and belief, Hoehn simply wanted to meet Rositano alone outside of the office with alcohol present.

261. At the end of the following day, June 21, 2019, upon information and belief, Hoehn asked Rositano again to come help clean his rental property, presumably referring to the aforementioned “trade.”

262. After Rositano told Hoehn she did not want to help him clean the rental property, Hoehn threatened her by saying that she had a lot of work to make up and that if she cared at all about her job then she should be willing to help him.

263. Rositano was immediately filled with anxiety at the thought of losing her job. After Hoehn ended the conversation, Rositano texted Hoehn at 4:55 pm, stating, “You walked off before I could say ... I can probably help you on Sunday if you’re gonna need any.” She further

texted that she called after him several times as he walked away, and he refused to turn around. She also attempted to call him at 4:53 pm to attempt to make amends. Then, to convince him she really was not just telling him “no” (even though she was), she offered that she couldn’t help “tonight or Saturday, but I can on Sunday.” See Ex. 1, p. 39-40.

264. Despite what had clearly been an argumentative situation, Hoehn responded, ignoring the prior threat he made and Rositano’s emphatic no, stated “Ok cool I’ll see how far I get thanks.” Ex. 1, p. 40.

265. The next day, Saturday June 22, 2019, Hoehn texted Rositano once, asking if there were any polo matches going on today. Rositano did not respond. Ex. 1, p. 40.

266. Rather than deal with Hoehn on Monday, June 24, 2019, Rositano stayed away from work, as she struggled with finding a balance between avoiding her boss’s sexual advances while maintaining employment.

267. Hoehn texted her that morning at 11:00 am, asking her if she was coming in. Rositano made up another excuse, that her phone was not working, and she had tried to text and call, then her car battery died, but she was only five minutes away. See Ex. 1, p. 40. Rositano’s phone records confirm she did not attempt to make any calls that morning.

268. Hoehn advised her not to bother coming in, that they could discuss the issue of her tardiness tomorrow. Despite telling Rositano not to come in, Hoehn texted her again, saying “it’s 12:00, I have not seen you yet. No need to come in today.” Ex. 1, p. 40.

269. At 12:11 pm, Rositano noted that she was almost there, and documented that it was a Schrute Bucks day. Ex. 1, p. 40.

270. Rositano pulled in at 12:12 pm, texted Hoehn multiple times with multiple questions, and received two terse responses. Again, afraid she was going to lose her job, she attempted to

engage him by “agreeing” to help him work at the rental property that night. *See* Ex. 1, p. 41-42.

271. Hoehn responded that he was not working at the condo that night. *See* Ex. 1, p. 42.

272. Despite Hoehn’s general ignoring of Rositano throughout the day, he texted her yet another picture of a drink at 9:48 pm on June 24, 2019 at J. Alexander’s and said, “wish you were here.” Ex. 1, p. 42.

273. Rositano’s simple response to Hoehn’s text was, “Nice place! I met Ashley Judd once there lol.” Ex. 1, p. 42.

274. Not ready to be done for the night and trying to best his prior misbehavior, Hoehn texted Rositano a picture of himself at 2:43 am on June 25, 2019 with the statement, “I’m at the bar we like.” Ex. 1, p. 42. Said bar was Tin Roof, the bar Hoehn forced Rositano stop at prior to raping her on May 21, 2019.

275. Upon seeing the text message, Rositano was immediately overcome with painful reminders of the trauma she had endured at that bar—she became physically ill, vomiting and suffering from general bodily pain at the sight of the photo.

276. Rositano called Hoehn after work that day at 6:20 pm to, upon information and belief, lay out her problems with his continued harassment. Rositano ended the first call after two minutes, hanging up on Hoehn. Regretting her decision, yet again because she needed to hold a job, she texted Hoehn at 6:22 pm and said, “Sry didn’t mean to hang up thought u said bye not 5 mins lol.” Ex. 1, p. 42.

277. Hoehn called her back at 6:28 pm, and the two talked for 13 minutes.

278. Later that week, on Friday, June 28, Rositano again did not want to come into work.

279. Hoehn noticed that Rositano had not arrived, and texted her that morning at 9:46 am, asking if she was running late. Rositano, who was in the vicinity of the building, and upon information and belief sitting in her car in the parking lot, came into the office after receiving this text, acknowledging her presence at 9:51 am. *See Ex. 1, p. 42-43.*
280. After Hoehn chastised her for being late, rather than point to him as the problem, Rositano went back to blaming her family and stated she was so close to getting her own place (she was not, but this was something Hoehn often encouraged, so she offered this excuse in an effort to appease him). *See Ex. 1, p. 43.*
281. Rositano continued to appeal to Hoehn's ego, again believing she needed to keep this job, stating, "I love working here and I feel like a piece of **** when I'm late I'm really not trying to be disrespectful or come off like I don't care. I've even been taking shorter lunches and less to know (*sic*) smoke breaks and staying late." *See Ex. 1, p. 43.*
282. Of note, Hoehn never complained to Rositano that she was not completing her work or was otherwise not handling her responsibilities. As a salaried employee, with no set, scheduled hours, Hoehn's ongoing threats to fire her for being "late" were little more than attempts to further establish in Rositano's mind that he had control over her livelihood.
283. In fact, Rositano's next text, sent five minutes later, states, "it sucks bc it's not the work. I enjoy the work and I stay until it's finished always. Hell I want to learn more stuff." Hoehn did not dispute that, because it was true. Rositano continued, "I want a future here and to take this opportunity and make it great so badly. Like I want to focus on a career more." *See Ex. 1, p. 43-44.*
284. Rositano struggled to keep toeing the fine line between telling Hoehn no, and trying to keep her job—she was constantly forced to decide between her physical safety and her

financial safety. When Hoehn called her at 1:00 pm on Saturday, June 29, in a call that lasted 33 minutes, Rositano yelled at him several times for the unending harassment she received from Hoehn and the unwanted sexual attention and how angry she was with him. At this time, Rositano had erroneously convinced herself that she was the problem, that Hoehn had not raped her on May 21, 2019, that she must have done something to indicate consent, such as getting in a car with him or going out to the Honeysuckle in the first place or pulling into the Tin Roof. After the first call, Rositano called him again at 4:37 pm, in a call lasting 44 minutes.

285. On July 1, 2019, 4:11 pm, after having little interaction with Hoehn during the workday, and becoming worried about her job status, Rositano again apologized to Hoehn for being short with him on the phone on Saturday, blaming it on a body ache/sinus issue she was going through. *See Ex. 1, p. 44.*

286. In what can only be described as delusional behavior, Hoehn took this comment to be another potential chance to move back into Rositano's good graces. Hoehn texted Rositano at 10:35 pm that night, stating, "Having drinks at the tin roof. Wish you were here," cruelly reminding Rositano of the pain and trauma he'd inflicted on her the last time they were there together and the shame, guilt and embarrassment she felt at the time related to the assault. After not receiving a response, Hoehn then texted Rositano a picture of a Miller Lite and what appears to be a whiskey and coke. Upon information and belief, Hoehn was simply attempting to inflict pain on Rositano, in an attempt to get her to willfully quit her job in order to protect himself.

287. Even after Rositano did not respond to his vindictive message, Hoehn was still not done harassing her for the night. At 10:51 pm, Hoehn sent another message saying, "No feed

back?” followed by another that said, “sleeping,” apparently referencing the fact that she must be sleeping. Soon after, Hoehn sent his final message for the night, “Miss you.” Ex. 1, p. 45. A forensic analysis of Rositano’s cell phone establishes that she read each of the messages he sent as they came in, voluntarily choosing to not respond to his outrageous comments, in line with how many people deal with their abusers.

288. Rositano again became physically sick after receiving these messages. Consistent with her typical coping pattern after a distressing event with Hoehn, she was late to work the next day, July 2, 2019. At 8:18 am that day, she told him that she missed his messages because she was sleeping, and that she was going to be late that day because she had a fever and had been throwing up. Ex. 1, p. 45.

289. Despite Rositano again not showing up on time as Hoehn had previously demanded, Hoehn responded to the message by stating, “Ok. Np.” Ex. 1, p. 45. Two and a half hours later, with no response, he again sent a message stating, “Please come – We should leave at 11:30 – It will be a good experience.” Ex. 1, p. 45. The experience he was referencing was a tour of a client’s, Aladdin Temp Right’s, factory. After telling Hoehn just how awful her physical symptoms were, Rositano ultimately went on the tour at Hoehn’s insistence.

290. On July 4, 2019, Hoehn texted Rositano at 10:34 pm, saying, “Happy 4th!!” Per a forensic analysis of Rositano’s phone, she read the message at 11:01 pm. However, she did not respond until the next day at 10:44 am, apologizing for not responding and saying she was already asleep. Ex. 1, p. 46-47.

291. On July 5, 2019, Rositano sent Hoehn a number of text messages relating to substance abuse deaths of persons she was acquainted with. deaths of persons she knew by way of

substance abuse. Hoehn's inappropriate response was to send her a "thumbs up" pic. Ex. 1, p. 47-48.

292. Hoehn could not contain his sexual needs for long. On July 11, 2019, at 8:43 pm, he texted Rositano a picture of a pina colada, saying "Pina Coloradans (*sic*) in Philadelphia." He added, "Petty (*sic*) cool. Wish you were here! I want to take you on my next trip!? You would have fun." Ex. 1, p. 48. Rositano's phone records show she saw the first message less than a minute later, but did not see the other five messages he sent, all within four minutes of the first message, until 10:22 pm, indicating Rositano had turned off, avoided, or otherwise stayed away from her phone, struck again at how any person could be so heartless, shameless, immature, delusional and depraved.. She did not respond to any of the messages. Ex. 1, p. 48. Once again, Rositano blamed herself, believing that she must have done something that convinced Hoehn that it was okay for him to treat her this way.
293. Hoehn texted Rositano two days later, July 13, 2019, at 8:49 pm, sending her a picture of a glass of whiskey on the rocks and saying, "Hope all is well. I haven't gotten much feedback. You ok?" Ex. 1, p. 48. Rositano read these messages within eight minutes of receiving them, and again chose not to respond. By this point, she had given up any hope of appealing to Hoehn's conscience or morality—he clearly lacked both.
294. After not having called Hoehn since July 1, 2019 and with no texts since July 5, 2019, Rositano texted Hoehn on the July 15 at 4:26 pm, after she apparently left work in a manner suggesting she was leaving the office, so as to assure Hoehn that she was not leaving the office early. See Ex. 1, p. 48.
295. The following day, July 16, 2019, Rositano learned of a tumor on her dog's leg. Rositano had no money to pay for any type of surgery and no one else to turn to—between 8:24 pm

and 8:38 pm, she called her friend James Johnson once, Jesse twice, Holly Moore three times, and Lindsey Rees twice, none of whom answered. As a desperate last resort, she reached out to Hoehn, calling him four times until he answered at 8:46 pm. They talked for 19 minutes. After she called him again at 10:00 pm, he called her back at 10:01 pm, and talked again for 13 minutes.

296. The next morning, July 17, 2019, Hoehn texted Rositano noting that he was sorry about the situation with Rositano's dog and would swing by to see how he could help. Of course, Hoehn, again either delusional or attempting to manipulate Rositano emotionally, texted that, if Rositano wanted, they could discuss how he could help with Rositano's dog. *See Ex. 1, p. 48.*

297. Instead of asking Hoehn for money, Rositano said she was going to gather some of her nicer clothes and other items and sell them to pay for the surgery. *See Ex. 1, p. 49.*

298. Hoehn—who would often tell Rositano she was “in his debt”—responded by texting, “Let me know how I can help.” *See Ex. 1, p. 49.* This was yet another opportunity for Hoehn to exert control, dominion, and power over Rositano.

299. Out of all other options, Rositano hit her breaking point. She tried everything she could to scrape up the money for her dog's surgery, but she still did not have enough. So, she finally acquiesced to Hoehn's offer, saying she would pay him back as quickly as possible and that she felt “so guilty sometimes like I have disappointed you and Chris (Cochran). I'm trying and I'm gonna be strong just get through it. I don't want to be a failure in life. I don't want to fail you guys or for everyone to hate me at work.” *See Ex. 1, p. 49.*

300. Apparently thinking this dialogue was normal, Hoehn responded by stating, “You are on the right track. And will get it all sorted out. Keep the faith. Taking off. Talk later tonight?” Rositano said, “sure.” See Ex. 1, p. 49-50.
301. Rositano continued, “Thank you for being so kind to me. I am going to return that by being better and on time.” She followed that message by detailing how much she was struggling, mentioning panic attacks and not being able to breathe. Hoehn cruelly ignored those messages. See Ex. 1, p. 50. At this point, Rositano was clearly not in her right mind—between Hoehn’s emotional, verbal, mental, and sexual abuse and her dog’s cancer, her life had spiraled out of control and she was under the constant fear of additional harassment by Hoehn.

E. Rositano’s Final Month at FreightWise

302. Thereafter, on July 19, 2019, Rositano was running late to work and could not get ahold of Hoehn. She reached out to Chris Cochran, the CEO, and “Stephanie.” Hoehn said not to do that again, because “Steph makes awkward comments” and “It puts more pressure on me and quite frankly it makes it look like I have employees going rouge (*sic*).” Ex. 1, p. 51. Additionally, when Rositano tells them she is late, Hoehn must explain to them what is going on and why her tardiness is okay. Clearly any other employer would have simply terminated an employee who continuously failed to show up for work on time. Instead, Hoehn constantly kept up the charade that he had her back and was fighting for Rositano.
303. Hoehn did not want Rositano speaking about any sort of issues with anyone at FreightWise about any illness or any reason why she was having trouble being timely. After Rositano said she would not call Chris Cochran in the future if she had an issue, Hoehn said, “Ok. Clearly we are not seeing eye to eye on the escalation of if I don’t answer the phone. I just

don't think he and Steph needs to know that you are running late.” Ex. 1, p. 51-52. After Rositano insisted that she did not mean to offend anyone and thought she was doing the right thing, Hoehn insisted they discuss the issue in person, during which time he yelled at Rositano for calling Chris Cochran.

304. On July 24, 2019, at 5:05 pm, Hoehn asked Rositano if she had left for the day. She had not. Hoehn replied that he must have just missed Rositano, and that they should chat tomorrow, and go for a “walk over lunch.” *See* Ex. 1, p. 53.

305. At 12:13 am, on July 25, 2019, Rositano finally said in a text message what she felt she made clear to Hoehn over the past few months. She declined to go on the walk Hoehn suggested, and said, “I’m not comfortable anymore. You’ve just done too much damage to me at this point. And I’m tired of being gossiped about. It hurts my feelings and I don’t think you really care about my well being at all at this point.” *See* Ex. 1, p. 53.

306. Later that morning, realizing what she had done and what it could mean for her job, Rositano called Hoehn at 8:06 am, and then texted him at 8:09 am, saying she was trying to talk about going for that “olive branch walk.” Hoehn sensed an opening again, and went back to being pleasant, responding, “I should be in around 9:30 – Will swing by then or you can come to my office so we can plan a walk. Thanks!” Rositano responded, “sounds good,” but did not follow up. *See* Ex. 1, p. 53.

307. Hoehn later texted her at 4:55 pm, saying, “walk?” Ex. 1, p. 53.

308. Rositano read the message at 4:58 pm and, prior to leaving the office, removed certain items from the office, including her succulents and a chalkboard, and moved other items onto Sowards’ desk as she did not plan on returning to FreightWise. She later received a call from Hoehn, and they were on the phone for the next 35 minutes, during which

Rositano specifically told Hoehn that what he had done to her at the Tin Roof was wrong. He admitted it was wrong, saying it was not romantic, since it was in the back seat of a car. Hoehn continued his attempts to manipulate Rositano, telling Rositano that she was lying about not being interested in him because she had misplaced feelings of guilt, shame and regret, meaning she felt badly that she allowed him to commit adultery with her, and therefore she was trying to say he was the bad guy in all of this. Hoehn went so far during the conversation as to ask if she was going to blackmail him, again attempting to manipulate Rositano's thought process and put feelings of doubt and fear in her mind.

309. Hoehn's manipulation proved effective—he succeeded, just as many other sexual and emotional abusers tend to do, in misguiding Rositano into believing him, and that what had happened was her fault rather than his. A few hours after this call, Rositano texted Hoehn three messages, stating,

I feel so embarrassed. I know it wasn't you and I've never said anything to anyone about anything. I would never want to cause anyone trouble, especially you, and I get anxiety when I do. There's reasons why and sometimes I . . . Well I just can't explain it over a text. I'm so embarrassed and I just get anxiety and panic attacks sometimes & there's a reason why. If you like to call me on my moms number than I can explain more.

I'm turning my phone off for a while so I can relax, but if you give me a chance to explain, you can call this number- 931-259-6617. It's my mother's phone. I am calm now but I have to turn this phone off so I can relax. I feel so bad I even thought it was you. I'm sorry. I don't even know if you want me back at work or not anymore but I would like to explain myself either way. I know you aren't the enemy here. This is something to do with me.

I know you're probably with your family. And I can't believe I did that. It just all built up and I'm not a bad person or a crazy one.

There's a reason I was stress triggered and I can explain if you call my moms number I have you. I'm sorry. I hope you don't think I'm crazy or hate me.

If you can't talk I understand. I just wanted to explain. Ex. 1, p. 54.

310. Hoehn sent text messages to Rositano at 10:19 and 10:20 pm, noting he just tried to call and that he had soccer until 10:20. The messages were not immediately delivered, as duplicate SMS messages show up at 2:04 am. *See Ex. 1, 54-55.* Further, a forensic analysis of Rositano's phone shows receipt of such text messages at 3:01 am. Regardless of when they were delivered, Hoehn spent 77 minutes on the phone (Rositano's mother's phone) with Rositano between 12:24 and 1:35 am.
311. Upon information and belief, Hoehn deleted one of his pending iMessage text messages that did not send, wherein he stated, "Btw. Of course I want you at work. Hope to see you tomorrow, please." This message has a time stamp within fifteen seconds of the two messages Hoehn sent about soccer and attempting to call Rositano back, but he deleted it before it was sent as an iMessage; however, it was included with the duplicate SMS messages delivered at 2:04 am. *See Ex. 1, p. 55.*
312. Rositano did not go to work the following day, July 26, 2019 and a text message from to her mother shows the 77 minutes of calls with Hoehn on her mother's phone, used as an excuse to her mother as to why she did not go to work. Exhibit 3.
313. Despite having decided on July 25, 2019 that she was not returning to FreightWise, on Sunday, July 28, 2019, Rositano made a final effort to return to the job. She texted Hoehn, "I'm feeling better now. See you tomorrow." *See Ex. 1, p. 55.*
314. Hoehn responded, noting that he had covered for Rositano over the weekend and processed some of the invoices. He also said, "glad to hear you are feeling better!!!" Ex. 1, p. 55.
315. On Monday morning, July 29, 2019, Rositano and Hoehn had four separate phone calls between 9:36 am and 11:15 am, lasting a total of forty-six minutes. Hoehn texted her at

7:42 pm, asking if she had made it into the office, and she did not respond. Rositano did not go into the office that day. *See Ex. 1, p. 55-56.*

316. At 8:00 am the next morning, July 30, 2019, Hoehn asked if all was well, and further asked if Rositano was coming into the office today, that he needed to know. Rositano stated she was getting ready. Hoehn again insisted that Rositano call him so he could “know what’s going on.” *See Ex. 1, p. 56.*

317. When Rositano arrived at work that morning, she sent a text to Hoehn at 10:11 am, noting that her desk had been cleared off, which Hoehn confirmed had occurred. *See Ex. 1, p. 56.*

318. As noted, Rositano removed certain items from the office, including her succulents and a chalkboard, and moved other items onto Sowards’ desk—when she left work the prior Thursday, July 25, 2019, as she did not plan on returning, and only made the statement about her desk being cleared off to remove any suspicion that she had planned on quitting.

319. Hoehn texted in response, referencing the time Rositano had been out of the office, “I guess you have some catching up to do on invoices 😊.” *See Ex. 1, p. 56.*

320. Rositano later texted Hoehn at 11:40 am, asking what he had told the others, referring to her absence the previous two workdays. Rositano asked if she needed to be looking for another job, but that she wanted to stay at FreightWise. *Ex. 1, p. 57.*

321. Hoehn advised that Rositano did not need to worry, that she came in and was doing her work and she did not need to be looking for another job. In reference to her seeking another job, he said, “Please dont (*sic*)”. Again, Hoehn noted that she had no performance issues, despite the missed time. *Ex. 1, p. 57.*

322. Rositano responded that she did not want to leave at all, and that she would stay late that day to finish the invoices. *Ex. 1, p. 57.*

323. Further confirming that Rositano's missed workdays and substance abuse were not affecting the volume of her work performance, Hoehn further noted, "It seems like we will have a record July in invoice! Good job!" Hoehn added that she should not stay too late, that he wanted her to rest and be herself. Ex. 1, p. 57.
324. After Rositano said she was going to stay and finish the invoices, Hoehn again encouraged her not to, stating, "I dont (*sic*) want you to ware (*sic*) yourself out. I need you! And I need you every day 😊." Ex. 1, p. 57.
325. The next day, July 31, 2019, Hoehn noted that FreightWise was nearing a record number of invoices keyed for a month (invoices had to be loaded by Rositano in order to be keyed), and at 12:31 pm, Hoehn texted a photo showing that they had broken a record, reaching 12,0001. See Ex. 1, p. 58.
326. In reinforcing the record invoice month, on Thursday, August 1, 2019 at 10:53 pm, Hoehn told Rositano to keep in mind the party on the following Thursday. Said party was known as the 777 party, wherein FreightWise would hand out employee bonuses and celebrate its success, set for August 8, 2019. See Ex. 1, p. 59.
327. On Monday, August 5, 2019, Rositano stated that due to the August 4, 2019 shooting in Dayton, Ohio, in which nine people died and twenty-seven injured, she was unable to come to work timely. While Rositano previously worked as a flight attendant out of Dayton, Ohio approximately one year prior. Rositano informed Hoehn at 9:14 am that she was struggling to make it to work because she wanted to verify that people she knew were okay. See Ex. 1, p. 60. Rositano did not send any text messages or make any calls to anyone with a connection to Dayton, Ohio. She was emotionally disturbed by the shooting but was using it as an excuse not to come into work.

328. Rather than acting appropriately concerned, Hoehn callously responded, “are you here?”

At 10:25 am she said she would be there in half an hour and would call him in a second, to which Hoehn responded, “Wow! It will be 11:30 am. We need to find ways for it to be more planned than 11:30.” *See Ex. 1, p. 60.*

329. Rositano did not respond and did not call him. Hoehn texted again at 12:05 pm, asking if he could count on Rositano to come into work today. Rositano responded that she was on her way. *See Ex. 1, p. 60.*

330. Rositano did come in that day and was still in the office at 5:55 pm. She asked if it was okay if she was at the office later than 7:00 pm, as she still had a good amount of mail to finish. In order to get Hoehn to respond, Rositano asked again, saying if Hoehn did not reply, she would “ask another,” referring to another owner, Chris Cochran. *See Ex. 1, p. 61.*

331. Rositano stayed at the office until after 9:00 pm that night to get work done. The next day, she again said she was late, but claimed she was on her way at 9:04 am. As had happened on several occasions, Rositano was actually sitting in the parking lot at FreightWise, not wanting to get out, but knowing she needed to if she wanted the job. At 11:14 am, Hoehn reminded Rositano that she said she was on her way at 9:04 am but was not in yet. . *See Ex. 1, p. 62.* He asked where she was. Rositano did go into the office, upon information and belief, at approximately noon after almost three hours of crippling anxiety and dread in anticipation of who was waiting for her inside.

332. The next day, Rositano preemptively texted Hoehn at 9:42 am to clarify that she was at work, so that no one could claim she was not. Later that day, Rositano told Hoehn she

needed to talk with him immediately about Sowards' passive aggressive behavior. Ex. 1, p. 63.

333. Knowing the 777 party was the next day, Rositano had been taking more Xanax to cope with the anxiety, stress, depression and fear. That night, at 12:27 am, she sent a string of messages to Hoehn about a survivalist world where they need to get to Switzerland (Hoehn is Swiss and she had sent an image to Hoehn showing that Switzerland's population, and then some, could fit into all of the bunkers in Switzerland), and she'd pretend he's her daughter, and Chris Cochran will be her little brother and Alex (another owner) would be selling the bunkers, so nothing to worry about with him, and two other owners (upon information, the financiers FreightWise), would be in the Bush's (referencing George W.) private bunker in Texas. Hoehn responded at 6:38 am, saying, "Ha!" *See* Ex. 1, p. 63-64.

334. At 9:54 am on August 8, 2019, Hoehn asked when Rositano would be in the office that day. Rositano responded that she was on her way and was moving to a place much closer to work tomorrow. Rositano had no such place in mind. She was simply trying to avoid being fired for refusing to work in such a hostile and abusive environment. Rositano said she did not have any money to pay to move her stuff, but that she would be moving that weekend. Ex. 1, p. 64.

335. Rather than expressing alarm at the sudden move with a lack of funds, Hoehn responded "Cool. We can chat about it this evening." *See* Ex. 1, p. 64. Hoehn was referencing the 777 party, to which he was bringing his wife.

336. Rositano was severely distraught at the thought of attending the 777 party. At that time she felt guilty, embarrassed, and filled with shame, believing she had acted in a way that convinced Hoehn that she was interested in him and that she did not do enough to prevent

him from sexually assaulting her. This guilt was exacerbated by the fact that Rositano knew Hoehn's wife would be at the party, and Rositano was stuck in a thought pattern that it was Rositano's fault that Hoehn had cheated on his wife, and that it was Rositano, not Hoehn, that had hurt Hoehn's wife and children.

337. Prior to holding the 777 party at Headquarters Beercade in Nashville, FreightWise went on a Redneck bus tour. As the families were only attending the event at Headquarters Beercade, Hoehn ensured that he sat next to Rositano on the Redneck bus tour. Hoehn was in the aisle seat, after Rositano had already taken a window seat. Video establishes it was early afternoon or evening and Hoehn had already begun drinking.

338. Rositano felt isolated and alone at the 777 party. Hoehn's wife approached Rositano during the party, stating, upon information and belief, "So you are the Alexis I hear so much about?" Ms. Hoehn went on to explain that she was a stay at home mom, but that she was a licensed attorney and kept her continuing education and license status current.

339. Later at the party, upon information and belief, Rositano recalls that Chris Cochran asked her if "she wanted to make out."

340. The next day, August 9, 2019, Hoehn texted Rositano, stating, "Hope all is well and you got home ok last night." Rositano did not respond. He texted again at 1:51 pm, asking if she planned on coming to work. *See Ex. 1, p. 65.*

341. Rositano purchased a new phone and received a new phone number, at approximately 8:57 am on August 11, 2019. Rositano's intent was to keep her new number from Hoehn, but in another misguided, attempt to save her job (again Rositano's substance abuse, vulnerability, and lack of personal strength allowed her to believe Hoehn's lies, preventing

Rositano from realizing she was the victim and she should not feel guilt, shame and embarrassment) Rositano sent a message to Hoehn that day at 3:59 pm. *See Ex. 1, p. 65.*

342. After not texting with Hoehn between August 11, 2019 and August 20, 2019, Rositano texted at 8:24 am on the August 20 that she had a “ladies’ doctor appointment” and would be late. *Ex. 1, p. 65.*

343. Hoehn responded, asking her to come in before her appointment to load invoices, further asking what time her appointment was and when she would be at the office. She responded that she would come in as soon as the appointment was over. Hoehn continued asking, “When is your appointment? Surely you can estimate when you will be in the office.” *Ex. 1, p. 65.*

344. Rositano responded “I’m sure that’s possible but if I have to wait (at the doctor in the waiting room and give you) the incorrect time it seems like you could just use that against me since it seems you are suddenly so interested in all of this.”

345. Hoehn responded, “I’m asking because you came in at 11:00 yesterday. Without notice at all.” Hoehn was also angry and requested, upon information and belief, access to Rositano’s desk drawer. Out of paranoia, Rositano had locked the drawer prior to leaving the day before. Hoehn continued, “When is your Dr. Appt. scheduled? What time?” These messages were sent at approximately 9:00 am.

346. Rositano’s doctor visit that day was not to a “ladies doctor”—instead, she went to see her trusted childhood doctor, John Thompson. Rositano told Dr. Thompson parts of her story (though at this time she still mistakenly believed that she must not have tried hard enough to prevent the rape, that saying no and pushing away was not enough, so she described it as sex), and he advised Rositano that if she were his daughter, he would not allow her to

return to FreightWise based off what she told him. With this comment, Rositano found a way to begin planting herself back in reality, finally cutting ties with FreightWise. She did not return to FreightWise that day and did not read the messages from Hoehn until 5:45 pm.

347. Dr. Thompson contacted FreightWise that day, informing FreightWise that Rositano needed to take a leave of absence. The initial leave was from August 20 to August 30, 2019.

348. When Dr. Thompson's assistant reached out to FreightWise to fax the information, the assistant was told by "Camille" at FreightWise that FreightWise had no fax number. Further, Camille advised that Rositano would need to pick up FMLA paperwork.

349. Later that evening, Julie Kinnard called Dr. Thompson's assistant back. Kinnard noted there was no FMLA leave and that, while Rositano may have short term disability, that is something Rositano must discuss with her supervisor, Richard Hoehn, and the supervisor would then discuss with Human Resources.

350. A second letter was sent to FreightWise on August 30, 2019. Dr. Thompson reported he saw Rositano in his clinic on August 28, 2019, and she needed leave to continue through September 11, 2019.

351. Hoehn terminated Rositano's employment on September 3, 2019, by way of certified letter sent to her home. The reason given was "tardiness and job abandonment. Repeated tardiness and failure to notify your manager before missing your shift cause (*sic*) a ripple effect throughout the entire organization. As an Invoice PreProcessor we need to make sure we load freight invoices in a timely manner into the queue. The best way to guarantee such is to hold a steady work schedule at FreightWise, LLC for this position."

352. This letter was addressed directly from Hoehn and signed by Hoehn.
353. Despite having knowledge of Rositano's medical problems and substance abuse (albeit caused by Hoehn), and of Rositano's doctor's note excusing her from work for August 20 through September 11, Hoehn made no attempt to send Rositano any short-term disability paperwork, which she may have had through Pancoast Benefits, nor made any attempt to bring up possible ADA benefits. Upon information and belief, Rositano at least had long term disability, though that will not begin until August 20, 2021, if at all. It may have been a false plan, potentially company sponsored, that was illusory if short term disability was not also purchased.
354. Rositano sought and continues to seek medical treatment as a result of Hoehn's and FreightWise's actions and continues to go to therapy weekly.
355. Rositano was diagnosed with acute post-traumatic stress disorder (PTSD) as a direct result of Hoehn's rape, sexual harassment, and emotional, financial, and physical abuse.
356. Rositano spent approximately two weeks in treatment, eventually being moved to an outpatient program.
357. Rositano was diagnosed with depression and anxiety as a direct result of Hoehn's rape, sexual harassment, and emotional, financial, and physical abuse.
358. After the sexual harassment began, Rositano had and still has nightmares and difficulty sleeping, as well as flashbacks, trust issues, intrusive thoughts, and panic attacks, resulting in shortness of breath, trembling, chest tightness, cold sweats, numbness, a smothering sensation and lightheadedness. These symptoms increased after Hoehn raped Rositano.
359. Further, Rositano, who had previously worked out at least four days a week, stopped working out and began eating less elaborate meals and higher calorie foods,

360. Rositano has been unable to work a full-time job since her employment at FreightWise.
361. Even with treatment, there is no certainty that Rositano will be able to return to full-time work as result of Hoehn's and FreightWise's actions.
362. Long-term, Rositano will likely suffer side effects of her PTSD, depression and anxiety, including nightmares, anxiety, and restlessness, due to the nature of Hoehn's and FreightWise's acts.
363. Presuming Rositano is ever able to return to full-time work, she will likely have long term limitations on the types of jobs she can perform and the times of day she can work due to the side effects.
364. While working part-time in an open mall area, Rositano rejected an offer of full-time work because the full-time job would have had performance-based incentives not present with the part-time work. Rositano was uncomfortable with a job offering base pay plus incentives because she feared she would be exposing herself to another dangerous situation with a supervisor. No one should have to live in fear caused by prior employment such that they are uncomfortable interviewing for a promotion because the job offers base pay plus incentives.
365. Further, Rositano declined a management position at her current employer, Puckett's Restaurant, due to fear of being unable to handle the stress associated with the additional responsibility due to her current medical and mental condition. Rositano's therapist further advised against the position, noting it was too soon for her to be taking on more responsibility.
366. Presuming it only takes twelve months to move back into a full-time position, Rositano will have lost approximately twenty-six months of her life (her time at FreightWise and

her treatment), simply because she believed she could have a career at FreightWise once Hoehn was convinced that Rositano was not interested in him sexually.

367. This loss of twenty-six months of education, employment with the opportunity for growth, and general workplace experience will remain with and burden Rositano for the rest of her life.

368. Rositano further suffered physically from the anxiety, depression and PTSD, gaining as much of 45 pounds, after initially losing weight after the rape.

COUNT I – Sexual Battery Against Hoehn, Individually³

369. Paragraphs 1-368 are incorporated herein.

370. Rositano unequivocally rejected Hoehn's sexual advances on numerous occasions.

371. Despite these rejections, Hoehn continued, despite his own admission that Rositano had previously given him the "stiff arm."

372. Hoehn forcibly kissed Rositano without her consent on or about May 7, 2019 at FreightWise.

373. Hoehn raped Rositano on or about May 21, 2019.

374. Rositano was only in the situation where she could get raped because Hoehn, an owner of FreightWise, had promised that he'd give her important information about her career if she went to dinner with him, and later, upon information and belief, required her to go to Tin Roof for drinks before he would finally present the "big news" he had to her, a purported promotion.

375. Hoehn had the power to terminate Rositano.

³ Contrary to FreightWise's First Motion to Dismiss, any action that occurred after March 13, 2019 is not barred by the Statute of Limitations. Tennessee Supreme Court Order No. ADM2020-00428 (May 26, 2020) extended the statute of limitations for any action set to expire between Friday, March 13, 2020 and Sunday, May 31, 2020, to Friday, June 5, 2020. This action was filed on May 17, 2020.

376. Hoehn and FreightWise, per Hoehn's comments and FreightWise's comments and actions in person and through various media outlets, confirm that Hoehn was one of three decision makers at FreightWise but had control over his specific department.
377. Hoehn accosted Rositano by grabbing her buttocks, without permission, in August of 2019, after others had left for the day and Rositano was attempting to stock the break room as part of her increased duties.
378. Therefore, Rositano seeks no less than \$3,000,000 in compensatory damages for sexual battery against Hoehn, individually, including emotional pain, future pecuniary losses, pain and suffering, loss of enjoyment of life, front pay, back pay, punitive damages, attorneys' fees and other equitable remedies.

COUNT II – False Imprisonment Against Hoehn, Individually

379. Paragraphs 1-378 are incorporated herein.
380. On May 21, 2019, after leaving the Tin Roof, Hoehn pleaded for Rositano to pull over, under the guise of wanting to explain his inappropriate actions at Tin Roof and calm Rositano down.
381. When Rositano pulled into a parking lot, Hoehn removed the keys from her vehicle, and jumped in the backseat, refusing to give the keys back to Rositano unless she came into the back seat with him.
382. Stranded, in a parking lot, without her car keys, under the influence of Xanax and in a distraught state of mind, Rositano was physically restrained and confined by Hoehn, an intoxicated and delusional man who was holding her hostage in her own vehicle..
383. Rositano attempted to get the keys from Hoehn, but he refused, saying he would only give them back if she got into the back seat with him.

384. Hoehn presented only two options to Rositano: either you come into the backseat with me (he had his penis out), or we sit here and you cannot leave because I have your car keys.

385. While Rositano was attempting to grab the keys, Hoehn was able to grab ahold of Rositano and pulled Rositano into the backseat with him.

386. At that point, due to Hoehn's ability to physically overpower Rositano and pull her into the backseat, Rositano was confined against her own will, even if the prior act of taking her keys and jumping into the backseat of her car did not result in a confinement against her will.

387. Rositano suffers from acute PTSD from the rape and ongoing verbal and physical abuse, having secondary issues with depression and anxiety.

388. Rositano has suffered since the rape, and will likely continue to suffer nightmares, an inability to sleep, and trust related issues.

389. Rositano will continue to suffer medical bills, including for treatment and therapy, and past and future lost wages because of Hoehn's conduct.

390. Therefore, Rositano seeks no less than \$3,000,000 in compensatory damages for false imprisonment against Hoehn including emotional pain, future pecuniary losses, pain and suffering, loss of enjoyment of life, front pay, back pay, punitive damages, attorneys' fees and other equitable remedies.

COUNT III – Intentional Infliction of Emotional Distress, Or, In the Alternative, Negligent Infliction of Emotional Distress, Against Hoehn, Individually

391. Paragraphs 1-390 are incorporated herein.

392. Hoehn intentionally made sexual advances, including numerous text messages sent to his employee, Rositano.

393. After learning that Rositano had a substance abuse problem, on multiple occasions, Hoehn advised Rositano that the only way to “detox is to retox,” and to just take enough pills to get by.
394. Despite Rositano’s numerous unequivocal rejections of Hoehn’s sexual advances, Hoehn continued sending messages of a sexual nature to Rositano, and any time Hoehn could he steered any conversation with Rositano into a request for her to have a drink with him.
395. Despite these rejections, including Hoehn’s admission that he had previously received the “stiff arm,” Hoehn continued.
396. Hoehn forcibly kissed Rositano without her consent on or about May 7, 2019 at FreightWise
397. Hoehn raped Rositano on or about May 21, 2019.
398. Hoehn accosted Rositano by grabbing her buttocks, without permission, in July/August of 2019.
399. Hoehn’s intentional contact of Rositano clearly infringes on a reasonable sense of personal dignity ordinarily respected in a civilized society, and every person should be charged with understanding that “no means no.”
400. Further, upon reviewing the text messages Hoehn was sending to his employee and her responses, as well as her specific denials of his sexual advances, an ordinary member of the community would declare Hoehn’s acts to be outrageous.
401. Hoehn’s acts are not tolerated in any civilized society and deserve punishment.
402. Rositano suffers from acute PTSD from the rape and ongoing verbal, physical, emotional and financial abuse, having secondary issues with depression and anxiety.

403. Rositano has suffered since the rape, and will likely continue to suffer nightmares, an inability to sleep, and trust related issues.

404. Rositano will continue to suffer medical bills, including for treatment and therapy, and past and future lost wages as a result of Hoehn's conduct.

405. Therefore, Rositano seeks no less than \$3,000,000 in compensatory damages for intentional infliction of emotional distress (or in the alternative negligent infliction of emotional distress) against Hoehn including emotional pain, future pecuniary losses, pain and suffering, loss of enjoyment of life, front pay, back pay, punitive damages, attorneys' fees and other equitable remedies.

COUNT IV –Vicarious Liability of FreightWise for Counts I, II, III

406. Paragraphs 1-405 are incorporated herein.

407. Hoehn was an agent for FreightWise as an owner/member.

408. Using his position as CIO/CTO of FreightWise and as Rositano's manager/supervisor, and, upon information and belief, one of three of the in total five owners who had check writing authority within the company, Hoehn lured Rositano out of the office for dinner on May 21, 2019, promising exciting information about her job.

409. At dinner at the Honeysuckle, Hoehn provided some, but not all, information about a potential promotion.

410. Absent the news about the potential promotion, Rositano would not have gone to the Honeysuckle with Hoehn, and, absent his promise to give her more information about the promotion at the Tin Roof, would not have gone to the Tin Roof with Hoehn.

411. Absent his position as CIO/CTO of FreightWise, Hoehn would not have been able to lure Rositano to Honeysuckle, and later Tin Roof, and later the parking lot where he raped

Rositano, falsely imprisoned her, and intentionally (or negligently) inflicted emotional distress upon her.

412. Therefore, as set forth in the 2nd Restatement of Torts, FreightWise is vicariously liable for Hoehn's intentional acts, as but for Hoehn having such position at FreightWise, he would not have been able to commit these acts against Rositano.

413. Further, FreightWise knew or should have known that its policy of allowing Hoehn to drink at the office, take his staff out for "Fun Fridays," and allowing Hoehn to leave the office, go to a bar, and then return to work would lead to some sort of legal problem.

414. Despite having that awareness, FreightWise took no acts to reign Hoehn in.

415. Upon information and belief, the other two onsite owners of FreightWise, Chris Cochran and Alessandro Rustioni, were aware of Hoehn's tendencies and had known him for many years.

416. Upon information and belief, Hoehn was crucial to FreightWise's success, as, without Hoehn, the information Cochran and Rustioni allegedly obtained while at AFS Logistics, LLC, would have been of little value. *See AFS Logistics, LLC v. Cochran*, No. 3:16-CV-3139, 2017 WL 4947512, at *1 (M.D. Tenn. Oct. 31, 2017).

417. Numerous states in recent years have adopted and applied Restatement (Second) of Agency, § 219, the "aided in agency theory," which holds an employer liable for the employee's acts where the employee was able to cause the harm because of the employee's position of supervisor of the employer. *See for example Spurlock v. Townes*, 2016-NMSC-014, ¶ 14, 368 P.3d 1213, 1217; **See also this Court's use of the doctrine E.E.O.C. v. Finish Line, Inc.**, 940 F. Supp. 2d 777, 782 (M.D. Tenn. 2013) (stating "an employer is liable for the acts of its agent when the agent 'was aided in accomplishing the tort by

existence of the agency relation,” quoting Burlington Industries Inc. v. Ellerth, 524 U.S. 742, 758, 118 S.Ct. 2257, 141 L.Ed.2d 633 (1998) (quoting Restatement Section 219(2)(d))).⁴

418. An employer is also liable for the acts of an employee or supervisor who acts with apparent authority who speaks on behalf of the principal, and Hoehn was clearly permitted to allow Rositano to believe that Hoehn could make or had a major say in employee hiring/retention/promotions. Restatement (Second) of Agency § 219 (1958)

419. Therefore, as set forth in Counts I-III, Rositano seeks no less than \$3,000,000 in compensatory damages from FreightWise, as well as attorneys’ fees and punitive damages.

COUNT V – Quid Pro Quo Harassment Against FreightWise under the THRA and Title VII of the Civil Rights Act of 1964

420. Paragraphs 1-419 are incorporated herein.

⁴ FreightWise’s First Motion to Dismiss alleged that vicarious liability does not exist in this Circuit for acts that are not covered by workers compensation. This is clearly a false statement of law. *See Parker v. Warren Cty. Util. Dist.*, 2 S.W.3d 170, 176 (Tenn. 1999) (stating, “an employer is subject to vicarious liability to a victimized employee for actionable hostile work environment sexual harassment by a supervisor with immediate (or successively higher) authority over the employee.”) Further, workers’ compensation is clearly not the sole remedy available. FreightWise cannot seriously contend that convincing an employee to go out for drinks after work, and then raping said individual, is an injury that arises “out of and in the course of” employment, regardless of whether Hoehn was purporting to act in the scope of his employment. *See Woods v. Harry B. Woods Plumbing Co.*, 967 S.W.2d 768, 771 (Tenn. 1998) *citing* Tenn. Code Ann. § 50-6-102. It is likewise absurd to claim that Rositano’s employment was “more than fifty percent (50%)” (the cause) of the injury, considering all causes.” Tenn. Code Ann. § 50-6-102(14)(B). The injury, specifically the rape, was caused by Hoehn’s intentional disregard for Rositano, Hoehn failing to understand that no means no, Hoehn’s drinking habit, and Hoehn’s physical act of taking Rositano’s car keys away from her, preventing her from leaving the parking lot. Regardless, the law is clear that an injury is only “in the course of employment if it occurred while the employee was performing a duty he or she was employed to do.” Coleman v. St. Thomas Hosp., 334 S.W.3d 199, 204 (Tenn. Ct. App. 2010). Further, this Court chided defendants in recent years for relying on the very cases cited by Defendant in its Motion to Dismiss. *See Doe v. Matthew 25, Inc.*, 322 F. Supp. 3d 843, 853 (M.D. Tenn. 2018) (stating, “Matthew 25 seeks to overcome the case law that Doe has identified by relying on Williams v. Smith, 222 Tenn. 284, 435 S.W.2d 808, 812 (1968), in which the Tennessee Supreme Court applied the exclusive remedy provision to a claim based on a supervisor's assault of an employee in a shoe store. That case, however, antedates the precedents supporting Doe's position by decades. . . .That principle, insofar as it was, at one time, the law of the State of Tennessee, has plainly been abrogated by the Tennessee Supreme Court's holding that some assaults are compensable under workers' compensation and some are not.”) Rositano hopes FreightWise does not take the position that Rositano was employed to provide satisfaction for Hoehn.

421. Rositano is a member of a protected class.
422. Rositano was subjected to unwelcomed sexual harassment.
423. The harassment complained of, rape and other unwanted touching and messaging, is based on sex.
424. Rositano's submission to Hoehn's request for sex was an express or implied condition for receiving a job benefit, and Rositano's continued rejection of Hoehn resulted in a tangible job detriment.
425. Respondeat superior liability exists because an employer is strictly liable for a supervisor's quid pro quo harassment. Hoehn, who had the power to modify the terms and conditions of Rositano's employment as evidenced by his September 3, 2019 termination letter to Rositano, acted within his actual or apparent authority in harassing Rositano, and therefore such act is imputed to FreightWise.
426. Therefore, Rositano seeks no less than \$3,000,000 in compensatory damages for quid pro quo harassment against FreightWise including emotional pain, future pecuniary losses, pain and suffering, loss of enjoyment of life, front pay, back pay, punitive damages, attorneys' fees and other equitable remedies.

COUNT VI – Sexual Harassment Against FreightWise under the THRA and Title VII of the Civil Rights Act of 1964

427. Paragraphs 1-426 are incorporated herein.
428. Rositano is a member of a protected class.
429. Rositano was subjected to unwelcomed sexual harassment.
430. The harassment occurred because of Rositano's sex.
431. Hoehn's harassment, including the rape, numerous text messages, unwelcome comments, and inappropriate behavior affected the terms of Rositano's employment at FreightWise.

432. FreightWise knew or should have known of the harassment, as the harassment occurred both during and after work hours, or such harassment is imputed to FreightWise as Hoehn is an owner/Supervisor.

433. Therefore, Rositano seeks no less than \$3,000,000 in compensatory damages for sexual harassment against FreightWise including emotional pain, future pecuniary losses, pain and suffering, loss of enjoyment of life, front pay, back pay, punitive damages, attorneys' fees and other equitable remedies.

COUNT VII – Constructive Discharge Against FreightWise under the THRA and Title VII of the Civil Rights Act of 1964⁵

434. Paragraphs 1-433 are incorporated herein.

435. Rositano was continuously subjected to a hostile work environment, evidenced by the numerous texts and phone calls she received from her supervisor, Hoehn.

436. To the extent Rositano's medical leave of absence is deemed a resignation of employment, no reasonable person would have remained employed under the circumstances.

437. FreightWise knew or should have known of Hoehn's actions for many reasons, including, but not limited to, Hoehn's generally permitting Rositano to continue working at FreightWise despite her seeming to rarely show up in a punctual manner after harassment began, with the time missed picking up sharply after the rape.

438. FreightWise should have investigated, or otherwise asked, why Hoehn continued to employ Rositano.

439. FreightWise had no procedures in place to report a hostile work environment situation.

⁵ FreightWise's First Motion to Dismiss alleged that constructive discharge is not a stand-alone claim. However, as an alternative pleading, to the extent Rositano is determined to have "resigned" due to retaliation or harassment, as opposed to being terminated, such claim is a stand-alone claim.

440. Therefore, Rositano seeks no less than \$3,000,000 in compensatory damages against FreightWise, including emotional pain, future pecuniary losses, pain and suffering, loss of enjoyment of life, front pay, back pay, punitive damages, attorneys' fees, and other equitable remedies.

COUNT VIII – Retaliation Against FreightWise under the THRA and Title VII of the Civil Rights Act of 1964

441. Paragraphs 1-440 are incorporated herein.

442. On or about August 20, 2019, and prior thereto, Rositano engaged in protected activity, her right to be free from sexual discrimination and harassment and to seek medical treatment related to said sexual discrimination and harassment.

443. For example, Rositano complained to Hoehn on July 24, 2019, in writing, that "I'm not comfortable anymore. You've just done too much damage to me at this point." Exhibit 1, p. 53.

444. On August, 20, 2019, after Rositano said she was seeing a physician, Hoehn asked no less than five times when Rositano would be in the office. Rositano replied that when she has a doctor's appointment, "you (Hoehn) are always getting angry with me." Exhibit 1, p. 65, 66.

445. Despite his awareness of Rositano's request for long term medical leave, and aware that Rositano was suffering because of the acts he committed against Rositano, Hoehn terminated Rositano's employment with FreightWise.

446. An employee's resistance or confrontation of a supervisor regarding a supervisor's unlawful harassment constitutes protected activity. Here, on July 24, 2019, Rositano informed Hoehn had had done too much damage to her, and on August 20, 2019, Rositano resisted the harassment by refusing to advise Hoehn when she would be back to work that

day, ultimately choosing instead to seek inpatient medical care. *See E.E.O.C. v. New Breed Logistics*, 783 F.3d 1057, 1067 (6th Cir. 2015) quoting *Ogden v. Wax Works, Inc.*, 214 F.3d 999, 1007 (8th Cir. 2000) (stating, “[e]mployers may not **retaliate** against employees who ‘oppose discriminatory conduct,’ ... and the jury reasonably concluded Ogden [opposed discriminatory conduct] when she told Hudson to stop his offensive behavior”)⁶

447. But for Rositano engaging in the protected activity of seeking medical treatment for Hoehn’s sexual assault, Rositano would not have been terminated.

448. Therefore, Rositano seeks no less than \$3,000,000 in compensatory damages against FreightWise, including emotional pain, future pecuniary losses, pain and suffering, loss of enjoyment of life, front pay, back pay, punitive damages attorneys’ fees, and other equitable remedies.

COUNT IX – Hostile Work Environment Against FreightWise under the THRA and Title VII of the Civil Rights Act of 1964

449. Paragraphs 1-448 are incorporated herein.

450. Rositano was sexually harassed and raped.

451. The sexual harassment and rape created a hostile work environment and unreasonably interfered with Rositano’s performance of her duties; for example, she was too anxious to come into work, would stay after work to avoid Hoehn, and was mistreated by other employees due to the “favoritism” Hoehn showed to her.

⁶ FreightWise’s First Motion to Dismiss argued that leaving work for medical treatment can only be considered a protected activity under the FMLA. Given the broad language of Title VII, and that the purpose of seeking inpatient medical treatment was to resist the sexual harassment and assault by Hoehn, such acts are protected activity. Further, less than a month prior to admitting herself for inpatient care Rositano told Hoehn she no longer trusted him and he had done too much damage to her.

452. The sexual harassment seriously affected Rositano's physical and mental wellbeing, as evidenced by her acute PTSD, depression, and anxiety diagnoses, all of which arose from the trauma Hoehn inflicted.

453. FreightWise knew through Hoehn, or otherwise should have known after a reasonable investigation into Hoehn, (and, upon information and belief, should have been aware of Hoehn's tendencies due to the long term relationships amongst Hoehn, Cochran, and Rustioni) of the hostile work environment or the unreasonable interference with Rositano's work performance based upon Hoehn's actions.

454. FreightWise failed to take any corrective action to eliminate the harassment.

455. Therefore, Rositano seeks no less than \$3,000,000 in compensatory damages against FreightWise, including emotional pain, future pecuniary losses, pain and suffering, loss of enjoyment of life, front pay, back pay, punitive damages, attorneys' fees and other equitable remedies.

COUNT X – Statutory Wage Violations or Failure to Pay Agreed Upon Compensation At Common Law

456. Paragraphs 1-455 are incorporated herein.

457. Pursuant to Tenn. Code Ann. §50-2-103, employers who pay employees two or more times per month shall pay all such wages owing unpaid prior to the first of any month no later than the twentieth of the month.⁷

⁷ FreightWise's First Motion to Dismiss contended that no private right of action exists under this statute. This is correct to the extent no private right of action exists to impose civil or criminal penalties under the statute. However, the language of the Act does not foreclose "... the employee pursuing any available civil action against the employer for the violation of any employment agreement or any applicable law, including Tenn. Code Ann. § 50-2-103." Tenn. Op. Att'y Gen. No. 12-50 (May 8, 2012).

458. Further, all wages earned prior to the sixteenth day of any month shall be due and payable no later than the fifth day of the succeeding month.
459. Regardless of Tenn. Code ann. § 50-2-103, Rositano was a salaried employee who received two paychecks per month and she was entitled to receive those paychecks until her employment was terminated or her pay reduced.
460. Rositano was not paid between April 17, 2019 and May 15, 2019, nor was she paid for the time between March 21, 2019 and March 28, 2019.
461. Further, between January 1, 2019 and April 17, 2019, Rositano was paid as an independent contractor, meaning FreightWise did not pay the employer's share of social security and medicare taxes or otherwise conduct any income tax withholding.
462. Rositano did not provide her own tools or equipment to perform her job at FreightWise.
463. Rositano did not set her own hours or deadlines at FreightWise.
464. Rositano was expected to work from FreightWise's office.
465. The only thing that changed after Rositano became an "employee" in approximately April of 2019, as compared to January – March of 2019, is that taxes began being withheld from Rositano's paycheck in April 2019.
466. Therefore, Rositano seeks all remedies available to her under such the common law and through the guidance provided in the Act, including prejudgment interest or attorney's fees available, as well as punitive damages to the extent that the failure to make a payment to Rositano when she became a salaried employee in April 2019 resulted in Hoehn being able to further groom her by stepping in as the "hero" with a loan to help Rositano out as, at the time of the loan, Rositano had a negative bank account balance.

467. Rositano further seeks all damages, including interest, for FreightWise's failure to withhold income taxes or pay the employer's share of social security and medicare taxes between January 2019 and April 17, 2019.

COUNT XI– Violation of the Fair Labor Standards Act

468. Paragraphs 1-467 are incorporated herein.

469. Pursuant to 29 U.S.C. § 207, it is illegal for an employer to employ an employee for more than forty hours per week, unless, for the time in excess of forty hours per week, the employee receives pay at a pay rate of no less than time and a half.

470. Despite not being an exempt employee, Rositano was treated as an exempt employee by FreightWise.

471. Rositano often worked more than forty hours per week, and, upon information and belief, did not take a lunch and two fifteen-minute breaks most days.

472. Rositano was not paid time and a half for these hours, or otherwise instructed to keep track of her hours. Instead, Rositano was treated as an independent contractor and later an exempt employee.

473. Therefore, Rositano is entitled to the unpaid overtime compensation, as well as liquidated damages equal to such amount to be determined at trial, and attorneys' fees.

COUNT XII– Negligent Retention/Supervision Against FreightWise

474. Paragraphs 1-473 are incorporated herein.⁸

475. While he was the CIO/CTO of FreightWise, Hoehn was, upon information and belief, able to be removed from the entity by the other four owners.

⁸ To the extent FreightWise's First Motion to Dismiss Count XII relies upon the same analysis as FreightWise's Motion to Dismiss Count IV, Rositano notes the frivolousness of FreightWise's Motion to Dismiss Count IV likewise applies to FreightWise's requested dismissal of Count XII.

476. FreightWise knew or should have known of Hoehn's actions for many reasons, including, but not limited to, Hoehn's generally permitting Rositano to continue working at FreightWise despite her seeming to rarely show up in a punctual manner for work after the sexual harassment began, and even more frequently after the rape.
477. FreightWise should have investigated, or otherwise asked, why Hoehn continued to employ Rositano.
478. Upon information and belief, Hoehn was crucial to FreightWise's success, as, without Hoehn, the information Cochran and Rustioni allegedly obtained while at AFS Logistics, LLC, would have been of little value. *See AFS Logistics, LLC v. Cochran*, No. 3:16-CV-3139, 2017 WL 4947512, at *1 (M.D. Tenn. Oct. 31, 2017).
479. FreightWise had no procedures in place to report a hostile work environment situation.
480. Because FreightWise failed to properly supervise its employees, Rositano was damaged in an amount no less than \$3,000,000, including emotional pain, future pecuniary losses, pain and suffering, loss of enjoyment of life, front pay, back pay, punitive damages, attorneys fees, and other equitable remedies.

COUNT XIII – Removal of Punitive Damage Caps Against Hoehn and FreightWise

481. Paragraphs 1-480 are incorporated herein.
482. Pursuant to Tenn. Code Ann. § 29-39-104, the punitive damages caps in Tennessee do not apply where the defendant is intoxicated.
483. While the employer's liability is reviewed separate from the employee's, under Tenn. Code Ann. § 29-39-104(g)(1), in a member managed LLC an owner who commits the tort in a management capacity purportedly acting within the scope of employment can break the

cap based on his own acts, as well the defendant's reckless hiring, retention or training of the employee.⁹

484. Hoehn clearly had the authority to set policy and exercise control, discretion, and independent judgment over a significant scope of FreightWise's business, as evidenced by his title, CIO, his check writing authority, and his "Fun Fridays."

485. Hoehn, in telling Rositano that he was going to discuss a promotion with her, was purporting to act within the scope of his employment.

486. Further, to the extent FreightWise was aware of Hoehn's sexual comments, his Fun Fridays, or consciously or recklessly disregarded the fact that such comments and acts may result in loss or injury, FreightWise is vicariously liable for punitive damages.

487. Further, an employer may also be vicariously liable under Tenn. Code Ann. § 29-39-104(g)(1) where: "(A) the act or omission was committed by a person employed in a management capacity while that person was acting within the scope of employment; (B)

488. At the time Hoehn raped Rositano on May 21, 2019, and at numerous other times when he harassed Rositano, Hoehn was under the influence of alcohol.

489. Hoehn's inability to understand that "no means no," failure to acknowledge that holding Rositano against her will and treating her, an employee, as an object, establishes that Hoehn's judgment was substantially impaired, and that such impairment caused Rositano's damages.

490. Because Hoehn was intoxicated when he committed the acts in question, the cap on punitive damages under Tennessee law is removed.

⁹ To the extent FreightWise's First Motion to Dismiss claimed that punitive damages for the negligent retention and supervision must be pled directly against FreightWise, this is at odds with Tenn. Code Ann. § 29-39-104(g)(1).

491. Because Hoehn used his position as CIO of FreightWise, and one of three on site owners, to make Rositano think he wanted to go to dinner with her and get drinks to discuss a promotion, the punitive damages cap is removed as to FreightWise as well.

492. Rositano therefore seeks punitive damages in an amount to be awarded by the jury at trial, no less than that constitutionally permissible based on compensatory damages awarded.

COUNT XIV – Breach of Contract against FreightWise

493. Paragraphs 1-492 are incorporated herein.

494. Early in Rositano's employment, Hoehn had employee Cody Hazelwood make a calendar entry: "If Alexis is still employed get her an Apple watch."

495. The period to remain employed was two months.

496. Hoehn, acting as CIO/CTO of FreightWise, had actual or apparent authority to bind the company to this agreement and was acting in a supervisory capacity when he made this promise of renumeration.

497. Rositano fulfilled the terms of the contract.

498. Rositano was never given an Apple Watch, and in fact was led to believe that she was going to instead receive a work laptop, a refurbished MacBook, that would allow her to help the company remotely.

499. Rositano never received this MacBook.

500. Rositano therefore seeks contractual damages, plus prejudgment interest, in an amount no less than \$500, against FreightWise.

WHEREFORE, Plaintiff hereby prays that the following relief be granted to:

- A. Actual damages in excess of \$3,000,000, as the court or jury may deem appropriate for Hoehn's acts and those acts imputed to FreightWise;

- B. All damages suffered by Plaintiff as a result of the Defendants' conduct towards and breach of duty to Plaintiff, including punitive damages, which are not capped in this case;
- C. Attorneys' fees, interest, and costs to the extent allowed under the law against Defendants; and/or
- D. Such other and further relief as this Court deems just and proper against Defendant.

WHEREFORE, Plaintiff respectfully requests this Court to declare that Defendants intentionally committed a battery against Plaintiff, unlawfully withheld wages, and the employer/owner Hoehn's acts are the acts of FreightWise under the aided in agency theory and to award Plaintiff no less than \$3,000,000 to which she is entitled, as well punitive damages up to no less than \$12,000,000, interest, attorneys' fees and costs, and such other relief as this Court deems just and proper.

Plaintiff, by and through undersigned counsel, demands trial by jury as to all issues so triable.

Respectfully Submitted by,

s/Charles Michels

Charles Michels, BPR# 031232

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served via this Court's ECF system to:

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Attorney for FreightWise, LLC

This 16th day of July, 2020

s/Charles Michels

Charles Michels

EXHIBIT 1

iMessage with 6153192171

5/7/19, 4:41 PM

May I call you on my way home or do you not have time?

Sure.

Thank you

Just tried to call

No answer

Let me call you in 30 minutes

Ok

5/7/19, 8:36 PM

I'm home and more relaxed now lol. If u wanna talk?

Hey...you said you'd call. I wanted to talk to you, not work

Sorry. The night got away from me.

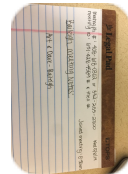
How are you?

5/8/19, 8:56 AM

I'm in the meeting already, joined at 8:50

I'm in a separate room so I will be able to focus. So I will upload invoices as soon as it's over

Ok - I did not get the invite from Matt.



Just messaged you.

Let me try and send it from calendar

Hold on

I don't think that's for iPhone

Ok that will work thanks

Can you ask steph or Larry to email you the iPhone one

I'm in a different office to focus

Took a lot of notes. I felt that went very well and helped me understand the client and sales team interaction process very well. I'll show you my notes when you get back in town.

I am starting invoices no

Cool. Thanks.

Thank you so much for posting that blog. It looks amazing and I'm really happy. That put a huge smile on my face and gave me some motivation. Thank you for everything that you do R. I appreciate you more than you know, and I should tell you more. Thank you 🙏

You did great on this project.

Thank you that means a lot to me. Your a great boss Richard

*loose

I joined the meeting a few minutes ago for JGA

I'm using Wayne's desk phone so I don't hear fuzzy playback and can focus and take notes. Travel safe!!

Oh yeah...and I got a freightie from Alex for the recycling project!! I'm stoked about that! Gives me motivation to do better. 🍷
thanks for giving me the opportunity to do it. I really appreciate your guidance... And I appreciate you just having my back in general. It means a lot to me and I really don't forget acts of kindness!!

5/8/19, 10:34 PM





Whattt?!? So jealous! I wanna play! Put me in coach haha

5/9/19, 2:57 AM



5/9/19, 1:49 PM

Hey! Please give me a call when you get back into town. Thank you

5/9/19, 2:58 PM

Sure. Later on when I'm on the road. I got a call from Julie.

I did exactly what you told me to do.... but I just have a weird vibe about this. I don't want conflict out of this, just positivity. I hope this doesn't get blown out of proportion. Give me a call when you can.

Thanks

Also, i need to go to my court date tomorrow at 9am for that speeding ticket i got, so that I can be eligible to take a traffic class and pay my fines & get it off my record since I haven't had a ticket in years. So can I put that on the calendar? I just didn't wanna wait too late so Larry knows. Should i come in early tomorrow morning and then leave to go to court and come back?

Where are you? I am in the office so we can talk about the.

I literally just stepped out for a break but I'll come back in

Ah ok - I must have missed you.

R u still here?

I'm walking back in

Let me know when you're ready I guess

5/10/19, 6:43 AM

Where's my wake up call?



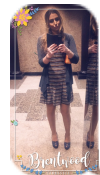
Sorry. I'm still in bed.

Hmm...must be nice! Wish I knew what that felt like



Lucky me

5/10/19, 8:35 AM



Omw to court! Wish me luck

Lol

Good luck!!!

Thanks! What happened to my morning phone call lol? I have ten mins to spare...driving. Wanna Call me? Not about work lol

I'm at the doctors office with Kate this morning

Getting her cast off getting her cast off

Ahh ok. No biggie just wanted to say hey before you leave town

That's cool!

Have a drink with me tonight?

Sorry unfortunately I'll be heading down to the beach this afternoon and evening

Like I said when I get back from my vacation I think everything will be normal again we can have our usual drinks

Ah ok. So will u be in at work today at all?

Yes I am having the talk with Lanny right now

yes. I am having the talk with Larry right now.

Ok I'm finally at my car after a long walk in heels lol and headed in. I did some invoices this morning but had to go. Im on my way back now. I think me and Larry will be fine in our office if we just be respectful and positive to each other and have each other's backs rather than passive aggressive stuff or putting words in people's mouth they didn't say

I actually do care about Larry And I've said from the very beginning that I wanted us to be the positive space and work together. I don't want drama...I just want to get along and do my work

Work together as in not against each other I mean

I've had his back several times before and you know that. I just wish he did

I've stood up for him several times before...even when he necessarily wasn't the nicest to me. Because I genuinely want positivity in my life.

Okay I'm headed back to work

5/10/19, 5:28 PM

I want Andrew to have my office. Not because of anything that happened. Everything is fine. But if I'm still gonna be in invoices in the future? Then I have a lot to learn from the auditors & I'm realizing need to be around them right? I honestly want Andrew to have it..really. He needs his own space and I need to be knowledgeable.

If that's what everyone still wants? If not, I understand. I can't compete with technology, but I can learn and work hard. It's up to you all

5/10/19, 10:45 PM

Don't worry. I hope you and Larry can work it out soon.

And all will be good

5/11/19, 9:58 PM

Have a good weekend. Got down here safe and sound. Drinking whisky and relaxing.

You should do the same.

5/12/19, 1:50 PM

Me and lily are headed to the square for some ice cream



Hi. Have fun!

It just started raining like crazy here.



Hi!

5/12/19, 3:21 PM

How are you? Speedster 94!!!

Yikes.

Hating my life and wondering how the fuck I ended up here in this hell hole of a house and wondering what I can sell that's worth enough to get my own place and be free from my hateful family. Or maybe I'll win the lottery one day...prob not

Sorry. I wish I could buy you a drink. Next week I will be back to normal and we can have our usual drinks and hang out.

Thank you. I appreciate the offer... but Drinking is for celebrating. And I'm not in the celebrating mood. The day I walk into my own house with lily happy and free from people screaming at me constantly or trying to control me...that's the day I will be ready to celebrate. Until then I have to think and problem solve.

Have fun on your beach. Don't worry about home..or me

Enjoy it while you can. Because it will be gone before you realize it

Ok. I just hate hearing the pain you are in. Thanks for everything.

Thank you for caring. First person in a very long time who genuinely has. No worries. Enjoy your beach for the both of us. That's where ill end up some day again. Some of the best times of my life, and best people of my life where met on a beach

Lol



I might need some Venmo. I can give it back tho

I don't really know what else to do at this point

I don't have Venmo but I can send some PayPal

I don't have pay pal lol

Send me your bank info. I might be able to transmit you via my bank.

One sec I'll try to find it.

Venmo is just an app you can download for free. It's pretty easy



This is Venmo... it's a pretty easy app. I will give it back to you out of my check. I just don't know what

else to do and I'll need gas and stuff for work.

5/13/19, 8:25 AM

Hey What is your address. It is asking me this for the wire.

The address your bank knows.

I sent you a Venmo invite

100 Kensington place Columbia Tn 38401. I'm omw to work now then. I just didn't have any gas to be honest lol

I setup Venmo and sent you a Friend Request. Will that help?

I accepted it. Now you just put money on it and I can transfer it to my bank



But now I'm a lot more negative lol

Car payment

I just sent you \$300 - I hope this helps.

I think I just put it on the wrong card. Thanks. I gotta call the bank

Yikes.

Okay it's in there now. Thanks

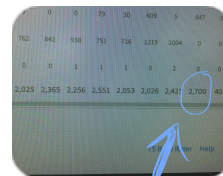
5/13/19, 10:00 AM

Good - Hope this helps for a few days.

It definitely will! Thank you. I'm at work just finished the weekend mail starting on emails. I was able to get some gas and get here so that's good! Sorry it was kind of last minute but my mom got home from her knee surgery and I had to buy some stuff for That and Mother's Day & had Les's than I thought when my car payment came out. I'll give it back to you on the 15th or whenever I get paid and see you

next. Have a good vacay

I figured banks wouldn't be open yesterday anyways so I was just waiting to hear back this morning.
Thanks for thinking of me! 🏠



Hit my all time high for invoices last week! My numbers are steady going up too. Pretty cool. And that doesn't include mail. We almost made that 777 goal too! So close

Pretty cool. Makes me motivated bc now I have to beat this number lol

Very cool - but these are auditor stats. Please see above the "Keyer" stats.

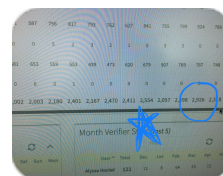
We have "keyer", "verifier", and "auditor" stats on that page.

So is it week "keyer stats?" The other big box right above it?

Because if so I did even more haha

Yes - you focus on the "Keyer" since that is the load you can control.

You don't have control over the how many invoices the auditors complete 😊



Nailed it!

That's almost 3,000!!

Pretty cool

Yes

But last week was 2,318

We also had the highest month last month.

I need to get in between those two numbers

Oh god

Larrys playing lilo and stitch playlist rn lol

It's okay tho! Not bad

I'm just gonna wanna kill Mickey Mouse before my life's over lol

Omg..I didn't just say that. Tell no one



Are you at the beach? I hope so! Send me a pic of the ocean!

I need some salt life rn



Nice! Send me the sand and sea too! I need to pretend I'm surfing lol



Ahhh take me home! Lol. Miss that place

What are you up to? Day drinking? Lol

5/14/19, 4:34 PM

Stephanie is listening to book porn lol. Audiobook smut

I listen to audiobooks too and they all have these parts lol

But it's just funny hearing it coming from her office. I'm cracking up lol

Listen to this haha. I'm getting worked up over here
pheew 😂

6153192171 kept an audio message from you.
5/14/19, 5:08 PM

Ha!!!

Wow.

I wonder how the dev team is handling this.

5/15/19, 2:46 PM

Heyyyyy

How's the beach

5/15/19, 8:24 PM



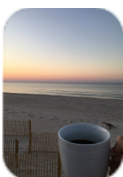
It was good.

Yay

Just left the grocery store and bought some
windshield wipers and stuff! Going to get chicken
fried rice from fulins lol

Nice. Have a good evening. Anything fun planned for
this weekend? Are you going out with friends? I miss
hearing about your life and having a good time.

5/16/19, 5:50 AM



Good morning. I wish you a great day.

5/16/19, 9:19 AM

Fuckkk I'm so late ahhhh! I overslept because taking
care of two adults and three dogs is a bitch on my
immune system. I super tired. I had to go grocery
shopping last night and clean the kitchen even
though I JUST cleaned it bc my stepfather can't
seem to put his dish in the dishwasher annnnd listen
to my brother not take my advice on his

"seperation/possibly divorce" ugh.
So yes...I am going out this weekend. Probably in a kayack far far away from humans...except my own human friends lol

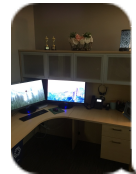
I'm tired as shit. Ugh I never wanna be a caretaker. Yuck

I was halfway to work but My mom fell...so yeah I'm turning around to go help her up. Yeah I'm gonna be late. Sorry but there's not much I can do about it

5/16/19, 10:58 AM

I'm at work. But im probably gonna come in on Saturday or Sunday before my driving class that's close by and sort through the mail.
My driving class is like 1 through 5 on either day so I'll come by and do mail and stuff and make up some time. Sorry...but I had to go back and help her and Larry is leaving at noon today again anyways because of his fridge so I'll hold the fort down for the rest of the day.

He left at 12:50 yesterday bc if his fridge going out and I held it down pretty good. Finished invoices and tickets with time to spare! I cleaned up my desk btw...but it's still moveable if need be lol



It's a chalkboard!!

It was a dollar!! Hah

I mean I got there a while before I texted you I was just letting you know what's up.

Anyways...silent one. How is your day going? I hope

Anyways...silent one. How is your day going? I hope you have a great day too! I miss telling you stuff too and hearing about your stuff...well you're actually not a big sharer but I miss ya just the same. How's the weather there? Hot.. I imagine, like it is here?



Rockin the FW shirt!

Hey sexy Invoice-Factory.

You look like a rockstar.

Thanks! I mean I have been kickin ass and taking names so...one could say that lol

Hello sexy boss guy!

Wow. Am I little bit sexy to you? You just made my day - thanks!!!!



Pina Colada time.

Stop fishing for compliments and go fishing for the both of us lol! You know you are

I don't. I like hearing it from you.

I am needy.

Haha no you're not. But yes you know how I feel about you

You're the bees knees 🐝

Ha

Hm... but still got shot down. What do I need to do?

Oops. It got quite from you... I must have pushed a button 😊 just kidding.

No no sorry I just was combing the last of my email invoices and steph just walked in with the mail lol

Perhaps calling sometime later on might be a nice start 😊

I'll probably be driving home or installing a shower head lol

Well... what's in it for me? Like I said; I'm still a bit shocked getting the stiff arm a few weeks back 😊

Oh well excuuuuseeee meee

I just thought you actually might have some down time to talk about all that but it's okay if you don't lol

Yeah. We need to have a drink and talk face to face. I look forward to hanging out soon.

Yep



Nice hat haha

I need something to do lol

I'm done with everything just waiting on tickets and stuff bc Larry is at home for the rest of today, about his refrigerator going bad

An you key invoices?

Duplicates?

Yeah I can key! I just wasn't sure if you guys wanted me too since it's taking money away from the Meyers

*keyers

Duplicates are done

I heard you told Julie you have time on your hands.

Do what?

When did I say that? Lol

Says who? Lol

I think it would be good you key some invoices so you get some insight into it.

I've been keying

I keyed test

*yesterday.

When did I supposedly tell Julie I have time on my hands. The only thing I've said to Julie is hello and goodbye

Who said that?

So who said that? Because I have not. This is becoming a problem for me. I'm tired of words being put in my mouth that I didn't say.

And half of these invoices in about to key I didn't even load. Like who loaded two statements in there? Whatever...it doesn't matter. I am going to ask her about that

Don't worry I'm a good way people are thinking you can do more and be much more at FreightWise. This is a good thing!!! People trust you. Please relax!!!

Oh wait is this bc i helped them stuff envelopes to keep busy yesterday? It doesn't feel like a good thing

I don't know what you did... I'm not in the office I wish you would tell me.

Tell you what? There's nothing to tell. I didn't do anything but help her stuff envelopes when my work was done so I stayed busy and watched zen desk and invoices while Larry was gone yesterday

This whole Alexis said this Alexis said that gossip is ridiculous

You seem to get worked up. All is good I'm glad you are doing well! And helping.

Please don't worry.

I'm not

It's just weird

Sometimes

Thanks

Welcome to FreightWise.

I think the wording is a little off lol

Whatever it's fine. People are dramatic. But thank you anyways

You are fine. And I have your back just like you have mine.

Thanks!

Call ya later if your around

Cool.

5/16/19, 9:43 PM



Just left ladies night lol



Annnnd... I have a present for you!! To try out lol..Haven't tried it yet but it's from Colorado and the back description on the box sounds pretty dope! 🌲



Cool. Let's do it together.

How was ladies night. I'm jealous- bet a bunch of young guys going after you.

I can't believe Gracie called me old 😞

Not too many but a few yeah lol. They're rude mostly though bc they don't know how to talk to girls lol.
And why do you care so much about Gracie calling you old huh? You crushin on my friend lol? I don't think your old lol...I think I miss you 🥰



....

You ghostin

I knew it...u hate it 🤔 not sexy in the slightest 😏

5/17/19, 5:41 AM

Hey sexy / beautiful! I do miss you a lot. Sorry I was out - had a few too many at the beach and got super sleepy.

And you even being super horny... i wish I could have help last night. 😏

5/17/19, 9:00 AM

Wow - That is harsh 😏 Yikes... You would have rocked my world 😏

5/17/19, 11:51 AM

Welp...I was side swiped by a school bus on the way into work and had to call the cops and fill out a report. This lady came up to my window with her "assistant" and some random guy driving a Mac truck behind me and started yelling at me. I had to roll up my window and lock the doors and when the cops got there they heard everything bc I had called while they were screaming at me and he had me pull into the driveway and was really nice about it and I had to fill out a report. Then this lady from the school board came down and apologized and said they've had problems with her before and looked at the damage of my car. It's not a lot but it was just a crazy experience and now I feel bad bc I'm late but it wasn't something I could control. I'm just glad no kids were on the bus.

Yikes. At least the government pay for the damage!

I'm still sad about missing your sexy pictures last night. Very excited to wake to those this am.

Yeah they better! It messed up my driver side mirror and some scratches on my car and rim. So they basically better have had that camera on bc they'll see her and two other men screaming at me. And the cops also heard it while I was on the phone with them. It was crazy. She just went over the yellow line on sharp curb and then started screaming at me like it was my fault!! Then she tried to say I was texting and driving and I was like actually no I wasn't because everything in my car is hands free Bluetooth. There is a speaker right above my head. And I had cruise control on lol. So the cops wrote the report and said that it was basically not my fault and that the insurance company needs to investigate it. I have to fill out this owner/driver report and mail it in within 20 days and I still have to call my insurance company and report it. I haven't even had time bc I just got here like 15 mins ago. That was crazy. It happened so fast I'm kind of shaken up

Of course I can tell Larry doesn't give a crap. He's like alright well I'm going to lunch! 🙄 Even though he's basically been gone for two days and I've been covering him the entire time. Ugh I'm not gonna let today be a bad one. It's gonna be good. Ughhhh life is so frustrating some times

Tell Julie about Larry. Or tell Chris. Would be better.

He never told me a single thing that he is out.

But tells me all the time when you are late. You need to let Chris know.

Yeah I already told Julie but Chris is not here

Ah ok. Has he been in the office at all?

I just said that I basically covered for him the last 2 days while he took off work for his refrigerator but yet anytime im late for something like this then he tells everyone but didn't even tell you he was leaving

He was here Wednesday until 11:55 and left. Then

Thursday he left around noon I think

So I covered zen desk and calls with Evelyn and he said he could work from home. But I still had to do most of the calls and tickets

I don't mind covering for him but when something serious like this happens. He doesn't show the same effort

And now he'll probably tell everyone and their mom and talk bad about me but not say anything about himself. 🙄 I can't win

Do they even know that I was in a wreck or have you not talked to anyone?

Or do they even know he was gone for two days and I covered him? Lol. I just feel like I'm catching all the heat and I can't help what happened today. I was side swiped by a school bus on my way to work

I mean...no one has said anything to me but I just feel like Larry probably is saying stuff behind my back that's not fully true or exaggerated and he forgets to mention when he's late or takes long breaks or leaves work for two days basically. It's just like...dude, I have never said anything bad about it until I hear this crap

I'm gonna finish these invoices and then I have to step aside and call my car insurance company. I haven't even been able to file this claim yet

I have a major headache already. I don't even know what to say at this point. This wasn't my fault but I still somehow look bad

Not a problem. Feel free to get the insurance going.

5/17/19, 9:22 PM

Hey. Haven't heard from you. Everything alright?

Hope you have a good weekend! Look forward to seeing you.

Not really...but it doesn't really matter anymore bc I was told not to bother you on your vacation. Larry and I were called into the conference room. We

actually were getting along just fine all week, but got an ultimatum regardless.

Let's see...today I was side-swiped by a crazy person driving a school bus on my way to work, and then she jumped out with 2 other adults and were screaming at me while i was sitting in my car waiting on the phone with the police, waiting for them to show....which made me late of course! Then we were given an ultimatum basically at work. Ohhhhh yeah... and then I just got to this house that used to feel like a home to me but now it just feels like I'm unwanted, disliked, unloved, and every move I make is over analyzed.

Oh and I also get to take lily for a super expensive vets visit I probably can't afford tmrw, Pay an expensive speeding ticket by 24 more days (from trying not to be 5 mins late to work last month)...and go to a 4 hour driving class on my weekend off.

So no.

I'm not doing too great at the moment and I'm actually thinking I'm just gonna give up on hope in general.

It is just too damn depressing when it doesn't work out.

I think that I may not ever have a happy, simple life...so fuck it!

And I don't think people are ever going to give me compassion or just some basic human understanding. They are always going to talk behind my back and smile in my face.

So yeah...I just really realllyyyy can't handle one more bad/mean thing right now..like I really can't. I am mentally and physically exhausted and my spirit is pretty much drained.

So I am pretty much going to lock myself in my room and crawl under my covers and try not to feel until tomorrow's bullshit comes for my soul.

Hope you had a great vacay!!

5/17/19, 11:09 PM

I'm sorry. I was talking to Chris and wanted to help you. I suddenly said I will take care of it and I think me miss understood.

I really hate that because I want to help you and not

hurt you!!!

Sorry. Please don't lose hope! You are the one person that defines that for me. I like your positivity

It is full moon. I remember you told me that odd things happen on full moon.

Take care of what? What were you talking to him about that needs to be taken care of? The fact that I confided in you and trusted you and was honest with you and then you respond with...Larry had been telling you I've been late everyday so I should go tell Julie or go tell Chris? So actually no, I didn't tell Julie and Chris who aren't even in our department and have no idea the backstory or what's going on at all in our lives or department. I asked Larry straight up if he has been saying that about me, Because it actually hurt my feelings considering I covered for him for two days in a row. And he denied saying anything about it at all to you and actually said he thought this week actually went well and we got along. And I actually thought that too. We actually covered each other's backs when we needed to and got the job done and beat the 777 goal by 90 grand. So then we get called into the conference room and are basically told to work it out or we are gonna be fired and replaced. So who am I supposed to believe right now? You are Larry? Because as far as I can tell, I haven't had a problem with him all week until today when you texted me that he's been telling you that I'm late everyday. He says he hasn't said that in weeks. And I told him the actual truth and we worked things out, like we already had this entire week and basically have realized that we cannot say anything to anyone anymore about anything or it will get misconstrued and we will get our asses packed up and fired for being ourselves. Ya know the saddest part of it all is that it wasn't like this at all when I first started. That's why I wanted to be there. Why I was early for work. It wasn't some gossipy corporate machine. And it's really starting to feel like I can't say anything or be myself at all without being judged or talked about. And I cannot live like that.

So who do I believe at this point? You just gave me the exact same advice today, that you did last week, which turned out pretty awfully as I recall.

And this is not a full moon problem. This is a trust

problem and I just don't know what to say anymore. It always comes back on me or on CS. And that's bullshit

Ok. I was under the impression you wanted my help with Larry because he was missing work. I guess I miss understood. Sorry. But keep in mind Chris heard this from Julie so I can take your blame but only so much.

We have done just fine this week by working it out ourselves and cutting out this tip toe around HR bullshit that never actually works because it creates resentments when people feel like they can't say what they actually want to say. Then it's not genuine. So who is the honest person here? Do I trust Larry and believe that he hasn't been saying those things about me? Or do I trust you, my boss..who I don't know if is just trying to get rid of me at this point... or someone else is feeding you information...like Julie?

Your the one person that I take seriously and actually look up to...and now I just don't even know what to think especially after you gave me the exact same bad advice two weeks in a row and because of it...my job is now threatened and pretty much I look like a dumbass and all I have EVER tried to do was be fucking positive when I was stuck in a room with someone who was sandbagging me and talking smack. So I actually work it out with him and still get yelled at?! So wtf? I cannot win here. Like.. I seriously cannot win by being my positive self.

It doesn't matter what I do, or how hard I try, I just can't trust anyone.

You want corporate Alexis...fine. Then you'll get corporate by the book me. She's pretty lame but if that's what you guys want then point taken loud and clear. I will be HR happy corporate bland, safe zone, no opinion, by the book me from now on. No more drinking at 55, or crossing any "lines" so we can ALL make sure that Julie is happy and feels good about herself.

Point taken. Oh and Please do me the kindness of not showing this message to all of mine and your coworkers or telling them my actual opinions...I would really appreciate that so there's no drama by the water cooler. God forbid I have a wreck or my

mom has a surgery and the office spies tip everyone off to be mad at me.

And if you actually gave a sh...look. If you cared. You would've called me. But it doesn't matter anymore. Im very tired of people and their drama towards me...I'd rather them just say it to my actual face. But that obviously isn't happening.

So I'm going under the covers and I'm gonna think about some things. You have a wonderful evening. Thanks for taking time out of your busy evening to deal with whatever it is I am to you? Goodnight

5/18/19, 1:25 AM

I'm sorry. I said some rude & sarcastic stuff and it's only because I had a bad day and I'm just pissed off. I just want my own life...I can't live here too much longer because then it becomes a habit, I should be on my own, like buying a house. I'm better that way...like more confident & More myself. I had to be here last week for her knee surgery, so I basically have been doing do much housework it sucksssss.... but whatever, I'm not complaining. I've been doing the right thing n all.. But it's just been a trip! So yeah I'm sorry. I meant some of what I said but not all of it and I'm sorry I feel that way. I wish I didn't.

But cmon...you know some of it was right on the whole Larry thing because we really got along great all week. That's why I was so upset and confused when you said that. We both were.

5/18/19, 5:49 AM

I really wanted to help. I'm sorry. I felt like you always give me a heads-up if you are late or need time off. Larry was out two afternoons and didn't mention it - BUT can comment sarcastically on my Slack picture that I post of my beer at the beach.

Again please believe me - You are important to me. I hate to have caused issues. Sorry!!! I need to stop doing that.

5/18/19, 9:09 PM

Thanks, We will figure it out. Sorry I went off, I was just pissed at that moment to be honest. I feel fine noe

I'm glad. I got home to Franklin a little while ago.
10hours on the road is no joke with little kids.

What are you up to this evening?

Glad u made it safe. I cans barley keep my eyes open lol. So I'm hitting the hay! Night.

5/19/19, 1:51 PM



Click on it to see the bottom line haha

Ughhh 3 hours to go...and on a Sunday 😞

Ha. Sorry.

Where is it?

I like your picture.

In Franklin at the drury hotel. I'm falling asleep lol. It basically just short videos and people talking a lot in class.

Are there a lot of people in the class?

I have never been. The tickets I have gotten have out of state or to far away.

Yeah there's a lot. It's really easy you just listen to this guy talk for a while and he interacts with the class. Most of these people look kind of dumb tbh lol. I have usually gotten out of any ticket Bc I have a clean driving record and no points and I don't normally speed. It would be like for not stopping at a stop sign or something like that.

That's why I'm taking this class..so this speeding ticket doesn't go on my record and I don't get any points. And I have to pay basically \$300 bucks. But it's worth it. You always wanna take the option to get it off your record first.

Yep.

Is it just one afternoon?

Btw do you want to hang out on Tuesday?

Btw. do you want to hang out on Tuesday:

After work I mean.



Look at this bracelet I got! Good vibes only. Sure for Tuesday! I gotta get back in class...I went to the bathroom lol. I'll call or text you later

Ok.

By the way. I have a soccer game at four.

I hope that it's manly enough for you. Playing in the rain.

With or without a beard.

5/19/19, 8:50 PM

whatever makes you happy. I don't really care about manliness lol. I just like beards and go getters.

Ok. I was just trying to be funny. Yikes.

I know! I was too

Ah cool.

5/20/19, 10:15 AM

What in sweet baby Jesus are you doing? Who's that youngster in your office? The little guy in khakis?

I'm just being nosy! No worries boss man

I just walked into your office to give you a big hug and you gave me that eek 🤩 face haha





5/21/19, 7:53 PM

Ask the bartender if we can bring our beer and eggs out here

Tell me if he says yes and I'll help you get them

5/22/19, 12:25 AM

Hi. I had a good time this evening. See you tomorrow.

Ok See you tmrw. Going to sleep

5/22/19, 7:03 AM

Hi - FYI: The invoices email password was reset last night to: 8M7U8>bJ

It will probably ask you to open safari and enter this password

See you later

5/22/19, 8:23 AM

Ok thanks

5/22/19, 9:35 AM

Hey I'm omw. Lily kept biting at her cone I had to put on her and wouldn't take her medicine bc she's being difficult and then I had to explain it to mom like 4 times when to give it to her 🙄

I'll just stay over today and make sure everything is done before I leave.

She actually ran away from me under the bed bc I have to put this big white plastic cone on her neck..so she won't bite at her paw and she wouldn't come out. So I tried to bribe her with a treat and had the cone in my hand and she took the treat and then stole the cone out of my hand and ran off with it in the yard and started chewing it. And my mom was just laughing her ass off while I chased her around the yard like an idiot haha. I almost barfed up my Jameson. She so cute and sweet but she can be a little asshole sometimes lol

Ha. See you later

5/22/19, 12:13 PM

I hate to ask but I'm kind of dying to know how the meeting went about me today lol? I was kind of nervous coming in here bc I didn't wanna get my hopes up tbh lol

Please don't tell anyone I asked lol. Either way it goes, I'm down to work & help the company. But I think it would be healthy & a good thing for me to take on more responsibility and a bigger purpose you know? I haven't had that in a career in a while.

I have the meeting at 1:00 today

Enjoy your rice 😊

How long does an apple update take? It just randomly shut me down and updated, thought it give me a warning lol.

The rice is bomb by the way! Thank you kindly! 🙏

5/22/19, 6:12 PM

When you have a chance feel free to call me I'll tell you about the meeting.

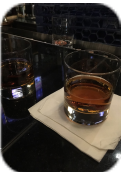
Ok cool. Just give me a little bit

I'll call u when I leave

OK I might be eating dinner.

With the two girls.

5/23/19, 9:26 PM



Weller. Have a good evening. See you tomorrow. Good job today in the meeting. Chris and Julie are excited!

5/24/19, 8:34 AM

Hey! I'm so sorry i was passed out asleep. I was really tired. I had the hardest time picking out something for shrute bucks today haha. But I found two pretty cool things I think. They're more girly

probably but who knows who will bid lol

*i meant sorry I missed your text last night. I was asleep

No problem. See you later. I should be in by 9:30

5/24/19, 5:07 PM

Omw over



5/28/19, 9:16 AM

Sorry I'm on my way I had to pay my ticket at the courthouse and turn in my driving class certificate

\$250 🤔 🤔 🤔 🤔

5/28/19, 10:21 AM

Where are you??? This does not look good after a long weekend.

Walking into work. Sorry but I had to go to the courthouse super early and pay my ticket and it took forever. I only had 30 days to do it by

Next time let me know in advance please

It is 10:30am

I have a meeting with the school board soon. 🙌
Do me a favor and don't tell anyone. It'll probably be this Saturday.
I don't necessarily totally agree with how the report was filled out..don't get me wrong, The officer was very fair but I feel like there is more to tell to what happened...to tell my side of the story. Sooo...I sent in the paperwork today to the driver/homeland security Dept that handles this stuff.
I spoke to a lawyer unofficially, just a good friend, that I know to take a look at it. Just to give me some options as far as payment reimbursement for my car. I feel like I have some viable options..or at least hope so.

5/28/19, 1:01 PM

Sure.

5/28/19, 7:03 PM

5/28/19, 7:00 PM



Bench progress.

Sorry!



Invoice progress lol

5/29/19, 9:26 AM

I fucking hate her. My mother is fucking evil. I need to get out of that house ASAP or it's always going to be like this and I'm always going to have drama. I don't want to live like this anymore. Fuck a laptop...Can u help me find a place? I lost it today and we just got into a bad argument and she fucking crazy

I'm so angry I'm shaking. I want to fucking hit something

Yikes. I'm really sorry!

Sure I will help. I land at 7:00pm and can come by the office or meet you for a drink/dinner.

She threw my damn coffee on me and got in my face. That's why I'm late. I had to change clothes bc they were soaked. So I went off on her. I need to get out of there. I need my own apartment. I can't believe she has done this every morning so I'll be

late and pissed. I can't take it anymore. I'm seriously about to go get lily and sleep on Justin's couch

5/29/19, 2:01 PM

Okay sounds good at 7ish

5/29/19, 5:15 PM



Sorry. I could still meet this evening but know it is getting late for you.

Of course would love to have a drink.

Oh ok! I'm just doing some things at work.

5/29/19, 7:39 PM

Hi.

Hey! Sorry I was on the phone with family talking through things 😞
But it's all good. I have to eat something and take a shower. Just got home. See you tmrw?

Glad you got it sorted out. See tomorrow

Yep a new day lol. This one is GOING to be better or I'm getting a time machine

5/30/19, 6:13 PM

I've made it through the M's pretty much so should be able to finish this thing tmrw.

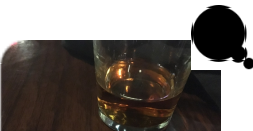
Cool. Wow. Way to hang in there.

Lol

I am genuinely impressed. I would not have had the stamina to do this 😊

Lol yeah you would

5/30/19, 10:39 PM





Wish you were here.

5/31/19, 4:29 PM

Will you be coming and joining us?

Don't worry about those locations.

This is the only time I have to finish them and i want them out of my hair. If I have a little more time I can focus and knock these out. I'll see if you guys are still there when I finish.

Oh I forgot to ask you or Julie about my check

Did the 300 you loaned me already get taken out or do I still owe you that? Because it was a lot smaller than the last one I got. So I wasn't sure if you had already taken it out or not?

I just want to make sure I pay you back, but i also noticed the amounts are different so I wasn't sure..?

No the loaned them out was a private loan.

Feel free to come by anytime. We would love to have you. No pressure.

Okay.. hmm. I wonder why it was a different amount from the last check? It's like \$400 dollars less difference. I guess just ask Julie about it Monday?

And I will pay you back. I just need to check this out first and see what I'm working with

Cool thanks.

I think we are going to wrap up here. I hope you have a good weekend. Let me know when you have time to have a drink or hang out.

Next time you leave please lock the door thanks

6/3/19, 5:51 PM

Who's the weird one now? 😊

6/3/19, 8:50 PM

Maybe a little. Feelings hurt. Will get over it. 😊

6/4/19, 4:05 PM

Yesterday was my fathers birthday. I get to go put roses on his grave with my papa when I leave here. Thanks for your support. Although that picture jab wasn't really necessary...I'm already down. Have fun in England Richard.

6/4/19, 6:11 PM



6/6/19, 12:28 PM

FYI. Chris will probably come and ask you about helping in carrier payments since Steph is still out. Thanks.

Yeah that's fine I'm working on them now. I do have to leave in about 5 mins for my doctors appt. I scheduled it on my lunch break but it could run over

It's on the calendar but I don't know if they see it. I can definitely finish when I get back also

Yeah. Please keep your appointments.

Would you like me to let Chris know about your appointment?

Sure. I do have to leave in 5 mins but I'll finish these in my hand. I'm using my lunch break for it

6/7/19, 3:48 AM

Thanks for helping out on Carrier Payments! Much appreciated!

6/7/19, 8:11 AM

Yep! No prob

I just feel bad for steph. Passing a kidney stone is eeeek 🤢
I've never had one but my brother had 3 one time at once haha. It was wonderful

6/10/19, 4:45 PM

I'm here at the bar.

I'm coming

6/11/19, 8:53 AM

Hey! Call me ASAP or the world may end as we know it

6/11/19, 3:02 PM

By the way I decided to go watch soccer I'm at the 55 S.

Will see you later.

Ok I'm going back in. I was trying to send my resume to my work email lol

So I can edit it and then print a few copies for Thursday

And attach it...

Anyways. Who's playing and have fun!

Manchester?



I guess there's a lot playing

Haha. Who are you watching today?

It is the Women's world cup USA versus Thailand

Big deal.

Oh yeah I saw that on the roster! Go girls!!

6/12/19, 9:44 AM

Ha ha I just overheard some people talking about how they don't trust pigs because they eat everything

Lmao...I told you! It's the truth haha. Those guys know what's up in the underworld of hogs lol

6/13/19, 10:37 AM

Are you okay today?
Your eyes are rimmed red and your hands are shaking and your talking fast. Why didn't you sleep some more today when you got home late last night? You have that exhausted animosity energy

right now that you get from no sleep.
And I'm not saying this to be mean. I'm saying it so
that you're aware and don't blow up or burn out on
us.

Have you even slept really?

Ok well I'll leave you be if you don't wanna talk... Im
just concerned that your burning the candles at both
ends & I wanted to check on you.
If you do need anything let me know.

Thanks - I am super tired - darn! I appreciate you
looking out for me. Talk later - Thanks!

Of course. Don't worry...be happy 😊
Time is precious...And invaluable!
But for reals...Just take it easy today and let that
cleansing calm spread to others 😎✌️🧘
More Yin, Less yang lol

Ha!

6/13/19, 7:42 PM



Grill time. Thanks for caring today.

SMS with 6153192171

Hi.

iMessage with 6153192171
6/13/19, 9:05 PM

Hold on a sec...

6/14/19, 12:53 PM

Hey I gotta run to the gas station next door after I
use the bathroom...I'll be right back!

Ok

Stop Smoking!

I'll stop smoking when you stop telling me to haha

I gotta get some oil for my car too. I need an oil change badddd

6/14/19, 3:55 PM

Be back soon huh?

Lol

I'm here!

I'm coming with you

6/14/19, 7:55 PM

Hi. Glad you c same to have a drink. I miss us hanging out! Say hi to Justin.

6/15/19, 4:03 PM

Hey. How are you?

I have been cleaning the kitchen and it was super nasty all day long.

Decided to have a beer now.

6/15/19, 6:43 PM

Ugh I feel like crap

6/15/19, 9:02 PM

The only way to detox is to re-tox!!!!

6/15/19, 10:49 PM

Lol. I'm watching a movie and taking it easy tonight. I'm doing some last minute laundry and I'm crawling in bed. I'm tired from this week and last night lol

6/16/19, 10:49 PM

See you tomorrow. Have a good night.

6/17/19, 8:23 AM

Hey! I'm gonna be in later this morning bc I have to pick up
My medication. I'm totally out. Not too late. Maybe just like 45 mins

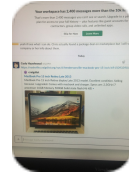
OK cool Meds are important



6/17/19, 10:06 AM

Thanks. They weren't open yesterday and my acid reflux has been acting up all day yesterday and last night. I'm not feeling too good at the moment but I'm coming into work anyways. I'm getting my meds first though.

6/18/19, 5:01 PM



Cody sent me this link! And it's actually a 2015. It looks like a good deal...

Cool. How much is it? I can't see from the image

\$700

Hm. Not bad.



This is a guy I play soccer with. Look where he is 😊

Cool

6/19/19, 5:31 PM

Sorry I just saw your slack. I think I'll wait on that

I still have to pay you back anyways

Thanks though!

I am happy to help. We just need to talk it through.

Yea

Maybe you can help me clean my rental apartment.

Lol

I have been working on most evenings.

Oh

Sorry I thought you were messing around

Like joking

But yeah

I can help

My past renters that I had to affect trash the place like crazy

Cleanliness is close to Godliness lol

Or so they say

Sorry that happened to ya!!



Check this out.

Yikes. That's terrible

Who does that

Let's talk about a trade tomorrow.

6/20/19, 8:56 AM

My power is out, they're working on the lines. A tree went down or something last night. I'll trying to hurry but it's dark

My phone is about to die

6/20/19, 2:42 PM

You gone for the day?

I could've sworn I heard you!

False alarm



Nice

Enjoy that.

Later gator. Anything you want me to do today besides invoices since I had to be late? Invoices almost done

Water my bonsai.

Order a spray bottle for Rupert - My bonsai.

I already did

Sneak out and have a beer with me.

We can discuss stuff

but I have to cover the phones until 5 remember? Are you sure that's okay right now lol? I don't wanna rock the boat anymore today. I will come but not gonna drink, too queezy stomach. I just need to stay and cover zendesk while Larry is gone for that 30 mins. But I'll come to discuss if you're still gonna be there at after 5

I will be back in the office by 4:00

I'm okay, just nauseous stomach from lack of sleep. It'll go away hopefully

Oh ok. Well there is beer in the fridge if u wanted to hang out in here while I cover the phones and zendesk

Invoices are done. Snacks and drinks are put out in

Where is Larry?

the kitchen

He's here right now but remember he leaves at 4:30 and we're open until 5

And isn't Evelyn in Mexico still? Lol

For her teeth or something?

But if you wanna come in here and hang for that last 30 mins while I cover zendesk...that's what I was saying. We can chat and stuff. I feel like everyone is disappointed in me this week 🙄

It's been a tough one to be real

Okay well I guess let me know what you're gonna do when u figure it out. 👍



6/20/19, 4:48 PM

Sorry I thought you said you wanted to talk with me

Have a good one

Can I order a cake from Kroger's for Steph and Wes's birthday next week?

I was thinking of getting one and just put both of their names on it from Kroger's. Because they're birthdays are this next week. Steph's is Tuesday and Wes's is Friday I believe. I won't get anything super expensive. Just thought it'd be a good thing.

*Good thing To do

I can pick it up and stuff

Good idea. Sure.

I can give you the Operations Credit Crd.

Ok

6/21/19, 4:55 PM

You walked off before I could say...I can probably help on Sunday if you're gonna need any

But you left. I called after you SEVERAL times

But you left. I called after you SEVERAL times.

I can't tonight or Saturday but I can Sunday

Have a good one

OK cool I'll see how far I get thanks

Okay then. You must be a speed walker. Or must have had headphones in I guess

Have a good weekend

I'm gonna order that birthday cake on Monday by the way. For stephs/Wes's bday. I already have it picked out. See ya

Can you do Publix?

I think their cakes are better.

Yeah

6/22/19, 11:40 AM

Any polo matches going on today?

6/24/19, 11:00 AM

Are you coming to work today?

Yes I've tried to text and call but my phone keep dying. My battery died and I had to jump my car this morning. Then I had to jump it again at the gas station. I'm like 5 mins away now

Wo about you take the day off - Use it as personal day. Come tomorrow on-time and we can talk how to improve this tardiness. Thanks

How about you take the day off - Use it as personal day. Come tomorrow on-time and we can talk how to improve this tardiness. Thanks

It is 12:00 - I haven't seen you yet. No need to come in anymore today.

I'm almost there. I had to jump my battery off

Sorry....I didn't expect this to happen

Especially on a Monday

I even brought schrute bucks stuff 🙄

I'm pulling in now. If I stop too long it goes out. But I'm going to charge it while I get to work. My stepdad had to come from work and hook it up to my battery

I'm walking in now

I'm in the office. I know you think I'm probably just giving you an excuse but it really is the truth. Hell you can ask my mom or step dad. It died last night and I jumped it and it was fine and then this morning when I was leaving it wouldn't start. So my step dad had to leave his work (mechanic) and come bring me a battery charge/jumper box. So I had to wait until it charged to 12. It was at 3 when we Hooked it up. I am very sorry and I feel really bad but I did everything I was supposed to to make sure it wouldn't do that. I filled the tank up, and even got an oil change this weekend. And then all of the sudden last night, it dies on me at home.

I've kept up with every oil change

Like I don't know why the battery is losing power...it's not an old one. It's a 2015

Ok - Lets discuss tomorrow. I'm working on some detailed stuff

Ok cool. But before you go, I need whatever card or method of payment you were talking about today to order that birthday cake for tomorrow. I'm gonna pick it up in the Morning. If you want I can just text you when it's ready for the payment. I can do it online

You can use your own card and expense it.

I'm not sure what that means

Im not really familiar with expense reports and stuff like that

I usually just had a card with a limit on it for office or work party stuff/special trips & then gave it back to the company, but normally just paid online so I didn't have to take it with me. So I don't really know how the expense stuff works. Do I just buy it and save the receipt?

6/24/19, 5:30 PM

Need any help cleaning your rental today?

Or I guess tonight

This evening...lol

I'm still at work for a couple hours, finishing up...but after that, I'm just going to buy a new car battery at Walmart and then I'm free.

If you want any help. You don't have to buy me anything either...just helping out if u need it

What I mean is...I don't expect anything in return. If u want help sometime...just lemme know

Thanks. Not working on the Condo today. Got a lot done this weekend.

Me too...no polo match or fun for me. Just a bunch of hauling tree branches to the fire pit 🧑🏻

6/24/19, 9:48 PM



Wish you were here

J Alexander's

Nice place! I met Ashley Judd once there lol

6/25/19, 2:43 AM



I'm at the bar we like.

6/25/19, 6:22 PM

Sry didn't mean to hang up thought u said bye not 5 mins lol

6/28/19, 9:46 AM

Running late today?

Yep... I'm here but I just had to brush my teeth in the bathroom. I've been congested and hacking up this gross stuff.

I'm walking up now

I'm really really drained and tired

ok

I stayed too late here last night

Ok - But I have tried to tell you to keep normal hours. The issue is you rolling in late than hurts you.

I know but it's like they've changed so much I can't get on a normal schedule and then so I stay later to finish everything and clean the kitchen and then I get home late and have to take care of mom and lily and our dishes and I'm just beat. I just wanna start over on Monday and do 8 to 5. Because I'm just drained.

I'm so close to getting my own place. Like I literally have 3 bills to pay off and my credit score has been going up. I just feel like my life will be more stable and routine when I do find one

But I love working here and I feel like a piece of shit all the time when I'm late. I'm really not trying to be disrespectful or come off like I don't care. I've even been taking shorter lunches and less to know smoke breaks and staying late. But I just need some stability. I feel like I'm stretched a billion different directions. And I definitely don't want to get fired or have everyone's hate me. I just have to start over and get on a schedule. Like I'm just drained and that's not like me

**no smoke

Sure _ I am here to help.

And it sucks bc it's not the work. I enjoy the work and I stay until it's finished always. Hell, I want to learn more stuff

I just gotta have some help at home. Like my brothers need to step up. It's not fair to shove everything off on me

And I feel really shitty about being late when I am bc I love you guys and you've given me such a huge opportunity here and I don't want to screw it up. So I just need to get it together at home, and start over Monday

My poor mom does as much as she can and she just had knee surgery, but my stepdad just watches tv all the time and falls asleep. So then I take over and it's just been like this for a while and I need my own space to grow.

He is a good man though. They're just getting older you know? And I want to help them, but I just don't even have time to breath or relax or take a break when I get home. It's exhausting. I want a future here and to take this opportunity and make it great so badly. Like I want to focus on a career more. I just feel overwhelmed, but not at work. Work is the best part of my life rn. And I'm sucking at it apparently...I gotta make some sort of a plan and stick to a normal schedule or I'm just gonna burn out.

7/1/19, 9:47 AM

Morning! Did you do the mail over the weekend? If so..thank you!

Yup

Thanks 🙏

7/1/19, 4:02 PM

Hope you feel better

Thanks

I'm sorry I was short on the phone on Saturday. It was the first day I felt sickly and my body is still fighting it...but it's like a sinus + body ache thing. I went to the doctor though. Whatever your going though today, I'm sorry! Sending good vibes 🙏

7/1/19, 10:35 PM

Having drinks at the tin roof

Wish you were here.





No feed back?

Sleeping

Miss you.

7/2/19, 8:18 AM

Morning. Sorry I was asleep. I'm super sick. I've had a fever and throwing up all night. I'm gonna be a little late but I'll be there about 10. I know today's important. I'm sorry but I can't help it, my whole body hurts

Ok. Np.

7/2/19, 10:43 AM

Please come - We should leave at 11:30 - It will be a good experience .

Okay I'm putting some clothes on now. I'll probably have to put make up on in the car on the way. My body aches so bad and I feel weak. I'm gonna come and then I'm sorry but I need to come back home after and lay down

Ok - Sounds good. Thanks

I'm omw

I'm hauling ass and I cant do makeup while I drive, so I'm just gonna have to finish my makeup and hair in Larry's car on the way

This is such bullshit...I have a sinus infection, the flu, and my friggin period. I cant tell if I wanna throw up, bite someone's head off, or lay in bed covered in chocolate ice cream.

Sorry!

I'm on 65. You guys better not leave me

I will drive - makeup is no problem

I'm hauling ass

Are you close?

I'm probably like 20 mins away to be honest

Maybe 15 if I keep up this speed

Why am I cursed? Like what the eff did I do in a past life to always have some bullshit happening. I need to cleanse my chakras

Will you grab me a Gatorade please? They're on top of the fridge. I'll call u when I'm about to pull up and meet u guys down stairs. I don't want anyone else seeing me until I put my hair up and stuff

Sure.

Thanks. I appreciate it. Who is doing invoices? Am I gonna need to do them on a laptop when I get home? Do you have an extra one. I can try moms but it's slow

I don't want to screw up our numbers or the keyers money so if you haven't done them yet then I need to do them at home after we leave

Let's discuss in the car.

Are you here?

I'm 2 exits away

Ok. We are walking down.

Ok I'm getting off at concord rd now. I need to stop texting. See u in a couple mins

Ok.

7/3/19, 9:04 AM

I'm omw. I'm coming in. Still sick but I don't think I'm contagious anymore

7/3/19, 10:12 AM

Are you here?

Yes

7/4/19, 10:34 PM

Happy 4th!

Happy 4th!

7/5/19, 10:44 AM

Hey! Happy Belated 4th of July!!

Sorry I was asleep by 9:30! I meant to text you that day but I felt better & was cleaning up all the tissues/sickly stuff and laundry all day and then had family last night.

What meeting are you going to? 55 south lol?

AC Issues - I would much rather be at 55 South 😊

Lol right!? Good luck with that! Hope it gets resolved quickly for you

So I didn't really broadcast this but...one of my moms Cousin's son died on Wednesday night. He O.D.'d on something that was cut with that crazy stuff that's killing people. I'm pretty sure he was kind of young. Like 20s or something. I knew his mother but I had never met him bc I only met her about a year ago. It's still sad that it's so close to home. You know, apparently he was on probation but this week he didn't get tested bc his p.o. was off for the 4th. So I guess he relapsed. Sad stuff man. Too many lives have been taken over that bullshit.

Apparently he was a bright young boy. It's so sad. I feel so sorry for his mother.

7/5/19, 1:29 PM

Oh. Sorry to hear ty! I hate that kind of news.

Me too. It's so sad. It's really Crazy how close to home its hitting. They've caught the guy apparently. My high school friends husband passed of the same situation like months ago. And I never expected that he was into any of that stuff ever! He was such a good guy. It was so sad too bc they're young and had just gotten married at the beach and she has a son he was like a father too.

I want this crap outta my town

Outta my state

Hell outta the whole planet lol

7/5/19, 7:21 PM



7/11/19, 8:43 PM



Pina Coloradans in Philadelphia.

Petty cool.

Wish you were here!

I want to take you on my next trip!?

You would have fun.

7/13/19, 8:49 PM

Hope all is well. I haven't gotten much feedback. You ok?



7/15/19, 4:26 PM

I'll be back in 5 I just needed to use the bathroom & get a breath of air.

I didn't want everyone to freak

7/17/19, 7:22 AM

Really sorry to hear about Lilly. I will come by this am to see how I can help.

7/17/19, 10:23 AM

Ok I'm throwing something on and coming into work. I'll try to act normal.

7/17/19, 12:55 PM

I should be there in 30 mins. I will stay late or come in on Saturday to make up 4 hours

Ok. I'm I'm about to leave for Denver. Hope to see you at the Zendesk event on Thursday. If you want we can discuss how to help with Lilly.

I had to take care of her this morning after the biopsy and meds. She looked like she was feeling better whh

When I left

But I have to get her surgery Friday morning

I'm gonna get a bunch of my nice clothes together and try and sell them at Plato's closet

And I'm just gonna look for anything I have like an old tablet and just whatever and try to sell it on marketplace

Ok. Let me know how I can help.

Ok I will scrape up whatever I can but I just don't know if I'll have time. So I might have to give it back to you out of my bonus check or my mom said she would pay me back to give you the 600 back whenever she gets paid in 3 weeks. I'm so sorry. It's so embarrassing to have to ask you for this after today. I just don't want to loose her. I just have to do everything I can. I'm quitting cigarettes starting tomorrow bc I'm too nervous today

And I'm gonna try to call my uncle again. The good thing is that I do have pet insurance on her so I WILL get the money back but it's just like regular insurance. You have to pay out of pocket first and then they reimburse you like 3 or 4 months later or sometimes 2 weeks later. I am so glad I signed her up for that because it's not a pre-existing condition or I would be screwed. So either way I will get it back to you, whether it's from my mom or pet insurance or selling my stuff. I promise

I feel like so guilty sometimes like i have disappointed you and Chris. I'm trying and I'm gonna be strong and just get through it. I don't want to be a failure in life. I don't want to fail you guys or for everyone to hate me at work.

I'm just want a peaceful happy life. And I want to make you guys proud and be reliable

You are on the right track. And will get it all sorted out. Keep the faith.

Taking off. Talk later tonight?

Sure

Safe travels.

Thank you for being so kind to me. I am going to return that by being better and on time. I did so good yesterday and I felt happy bc I got there at like ten mins after 8 and stayed late and I've been taking 30 min lunches instead of an hour and I felt like I actually did good yesterday and then it's like last night at the vet I get the worst news and that's why I get so discouraged and then it's like I have these panic attacks

And I can't breathe. I know it sounds silly like it's just a dog but it's just that she's the only thing I've loved so much and so many of my family that I loved has been taken from me from cancer or something bad

I'm gonna be fine I'm here and . I'm in the bathroom and I'll stay until there all done

7/18/19, 3:50 PM

Hi - Hope all is well. When you get a chance give me a call so I know how I can help with Lilly.

PS: I have the Partner call in a few - 4:00pm to ~5:00pm

K

7/18/19, 7:21 PM



You are here in spirit

7/18/19, 9:32 PM

Cool. Thanks.

Just landed in Nashville

Dude! I'm really good at golf! I've never played ever

and I beat everyone! Haha. The coach said I was a natural!!

He even wants to train me on a real court lol

Who knew?!? It was awesome!! Wish u were there

Yeah. Hated missing it.

You guys done and on your way home?

Yeah

Sorry that sucks

7/19/19, 9:27 AM

Hey I was just calling to let you know I'm on my way. I just finished taking lily to surgery and all that like 15 mins ago and am just stuck on a slow spot bc they are working on this stupid road but I'll be on the conference call bc I will probably be walking in like 15 after it starts. Chris and steph both sent me the number so all good. Just didn't want the keyers to worry and I already called Larry, steph, and Chris and you just fyi to let them know. I missed ya boss! I think she'll be fine. It'll be okay don't you think?

Hey - please stop calling or texting Chris and Steph on this stuff! I constantly have to then explain what is going on. And Steph makes awkward comments.

Ok I guess I'm getting mixed signals. And I just called bc I couldn't get ahold of you at first

Sorry

I didn't realize they were offended bc they've been very supportive about this

Lets talk this - I think it is a odd for you to text or call the CEO of FreightWise when you are running late. It puts more pressure on me and quite frankly makes it look like I have employees going rouge.

He knows my dog has cancer but I will not do that anymore. I actually have not ever called him before

This was the first time

Ok - Clearly we are not seeing eye to eye on the escalation of if I don't answer the phone. I just don't think he and Steph needs to know that you are

running late.

Okay got it. I do understand what you are saying and I do see eye to eye on that

I didn't mean to offend anyone. I thought I was just doing the right thing. I'm sorry

Ok - Lets discuss when you are in

7/19/19, 2:13 PM

Hey it ended up being a bit less than I thought so I can probably pay you back sooner

Like the difference

They just called me and I paid it and they explained that everything

7/23/19, 9:48 AM

Saturday
4 Photos

Thank you for saving my fur child's life. 🙏

Glad to help. Hope she is feeling better.

She was sick all night, throwing up and this morning, but the good news is that they are giving her nausea meds & my mom is about to go pick it up.

But other than that she is healing nicely. I will get the full results from the pathologist on Saturday. I have already sent the invoice/claims out to her pet insurance so that I can give that loan back to you as soon as it's processed.

Again, I appreciate you're help

Regardless, I will get it back to you in the next 2 to 3 weeks I believe.
My mother is going to pay it to me to give to you when she gets paid, and then I will reimburse her with the claim money.

See ya later

Great. Thanks. I'm traveling with Jen and Phil today. Will check in later on.

7/24/19, 5:05 PM

Have you left for the day?

No

I must've just missed you. Let's chat tomorrow.

We can go for that walk over lunch.

7/25/19, 12:13 AM

I don't think so. I'm not comfortable anymore. You've just done too much damage to me at this point. And I'm tired of being gossiped about. It hurts my feelings and I don't think you really care about my well being at all at this point.

7/25/19, 8:09 AM

Was calling about that olive branch walk FYI

I should be in around 9:30 - Will swing by then or you can come to my office so we can plan a walk. Thanks!

Sounds good

7/25/19, 4:55 PM

Walk?

7/25/19, 8:41 PM

hey, I am very sorry.

I feel so embarrassed. I know it wasn't you & I've never said anything about anything. I would never want to cause anyone trouble, especially you, and I get anxiety when I do. There's reasons why and sometimes I...

Well I just can't explain it over a text. I'm so embarrassed and I just get anxiety and panic attacks sometimes & there's a reason why. If you would like to call me on my moms number then I can explain more.

I'm turning my phone off for a while so I can relax, but if you give me a chance to explain...you can call this number... 931-259-6617. It's my mothers phone, I am calm now but I have to turn this phone off so I can relax. I feel so bad I even thought it was you. I'm sorry. I don't even know if you want me back at work or not anymore but I would like to explain myself either way. I know you aren't the enemy here. This is something to do with me.

931-259-6617

I know you're probably with your family. And I can't believe I did that. It just all built up and I'm not a bad person or a crazy one.

There's a reason I was stress triggered and I can explain if you call my moms number I have you. I'm sorry. I hope you don't think I'm crazy or hate me.

If you can't talk I understand. I just wanted to explain. If you even want to speak with me, you can call me on her phone.

931-505-4073

**gave

**her phone number is 931-259-6617

She has let me borrow her phone so I can relax and I'll be alone and have some privacy to explain things.

7/25/19, 10:19 PM

Hi just tried calling you back feel free to call anytime
bye hope you feel better soon

I'm sorry I'm calling so late but I have my soccer
games tonight to go until 1020 take care

SMS with 6153192171

7/26/19, 2:04 AM

Hi just tried calling you back feel free to call anytime
bye hope you feel better soon

I'm sorry I'm calling so late but I have my soccer
games tonight to go until 1020 take care

Btw. Of course I want you at work. Hope to see you
tomorrow. Please.

iMessage with 6153192171

7/26/19, 9:46 AM

Hi - I asked Larry to scan some of the paper invoices
since the queue is a little low.

7/28/19, 7:04 PM

I'm feeling better now. See you tomorrow

I'm glad to hear you are feeling better. I will be out
traveling tomorrow and Tuesday. Call anytime if you
have questions.

Ps: I uploaded a bunch of invoices over the
weekend. But need you help on some of the ones
that need to be downloaded.
Glad you are feeling better!!!

Thank you. Yes I am feeling better now and Lily is
doing better, although she is still a little tired. Safe
travels.

The Hack- watch it

Netflix?

Yes & it's very important you do. Then delete.

Be careful, travel safe

7/29/19, 9:31 AM

Just getting out of plane will call you in two minutes

Ok

7/29/19, 3:22 PM

"Great hack"

7/29/19, 7:43 PM

Hi. Were you able to get into the office? Or

tomorrow?

7/30/19, 8:00 AM

Hi Hope all is well.
Can you please all me. I need to know if you are coming into the office today? Thanks

Getting ready to leave. Call you on my way. My moms driving me fuckin crazy

Thanks. Call please so I know what's going on.

7/30/19, 9:06 AM



This license plate says "SWISS"

Cool

7/30/19, 10:11 AM

Well my desk was cleared off when I came in lol

Who did that? I was going to ask you about that.

I guess Larry

Since all my stuff was on his

I was thinking it was you on Thursday?

Strange

He even moved my organizer. I just took my succulents home bc it needs to be reported

And took down my chalkboard so I could get a cool picture instead

Doesn't matter. I had to do what I had to do to be healthy again

Yep. Dont worry about it.

I guess you have some catching up to do on invoices



7/30/19, 11:39 AM

Yeah there's like 100 and mail an duplicates but

Yeah there's like 100 and then all duplicates but there's still 400 invoices in the queue that aren't duplicates.

So what did you tell them? I haven't said anything but I get the idea that they know somethings up

Like should I be looking for something else? I just wanna know ahead of time. There's been many times I've covered for Larry 2 days in a row when he has had car troubles or his fridge so it's not like I've missed an entire week ya know?

Like i wanna stay here but at the same time..I just want to be healthy and happy too

Actually no I was only gone yesterday actually. I was here Friday. So I've only missed one day

Dont worry! You came in and are doing your work. No need to worry about finding something else! Please dont.

I have not told anybody about the issues. Other than Lilly pulled her stitches.

Okay. I don't want to at all! I just don't want anymore negativity. Only good vibes. I'll stay late until it's done today but I had to do what I had to do to be a better person.

And... It seems like we will have a record July in Invoice! Good job!

Lol okay cool. Thanks

They've gone up

Please dont stay too late. I want you to rest and be yourself. Spend time with Lily.

I will call you when everyone is gone and we can talk about my hours and time and stuff.

Nah I'm gonna finish everything. I gotta reorder snacks and all kinds of stuff

Ok - But again - I dont want you to ware yourself out. I need you! And I need you every day 😊

It shouldn't take long. But for real...is anyone upset

with me that I need to talk with? I feel like a new person today. Still a little achy but my eyes are clear.

Got to jump on a call - Talk later.

I'm gonna start going back to my meditation classes and yogi. That has always helped me with anxiety

Ok talk later

So who has your good laptop? They're probably seeing all these texts lol

7/31/19, 9:38 AM

Hi - how are you?

I'm fine. At work. What's up with you

Just working emails and projects 😊

But wanted to say a quick "hi"

Hi! Are you here?

No - I am still in SFO. BTW: Exciting we might hit 12,000 for the month of July. That is a record 😊

Awesome!

7/31/19, 12:31 PM

Employee (State: Dept)		Time				
Emp#	EmpName	Time	Rate	Hours	Amount	Notes
1	John	20	20	2	400	
2	John	20	20	2	400	
3	John	20	20	2	400	
4	John	20	20	2	400	
5	John	20	20	2	400	
6	John	20	20	2	400	
7	John	20	20	2	400	
8	John	20	20	2	400	
9	John	20	20	2	400	
10	John	20	20	2	400	
11	John	20	20	2	400	
12	John	20	20	2	400	
13	John	20	20	2	400	
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8/1/19, 2:26 PM

I'm good. Doing a lot of programming. Nice to have some quite time 😊

How is your day/



How's your trip goin?

Going pretty good so far!

8/1/19, 10:14 PM

Hi - Flight issues. Taking the red eye from San Fran

to Charlotte. Then from Charlotte to Nashville -
Should be in the office by 9:30am

How are you?

Sorry to hear that! Doing a lot better. Still having some aches and pains here and there but I feel great. I feel free

Ah glad you are doing better. Hang in there Champ!

I've been through a lot in my short life. More than I've ever told anyone and sometimes the flashbacks...like the memories, they catch up to me when I'm stressed or feeling alone and I'm human and try to fill the void. I wish I didn't feel sometimes. But then it would make the happy moments go away and I wouldn't trade those for the world.

I think I've seen more deaths up close and personal than I've been to weddings lol.

Or broken hearts, or abusive relationships. All the bad things that can happen to a little girl and a woman. I don't tell anyone. I never have really bc I don't want anyone's pity ya know? I am the strongest person that I know besides my mother. And I want to be like her...like the best of her

Amen - Glad you are back!

Me too. Thanks for dealing with it. I know I haven't been easy...but where's the fun in that?!? 🙄

And still had a record Effing invoice month!!
Whatttt?!?

Yes! I know! Very cool! Make sure you keep the party in mind on Thursday. It will be fun!!!

K

Have good evening. I am getting ready to board. See you tomorrow

See ya

8/2/19, 9:32 AM

[+13322552300](tel:+13322552300), [974133844](tel:+1974133844)#

Tell them we had a record invoice month

I will ok

Just to make sur - You are loading the LMe into the system?

Nope

Why?

Are you on the call?

Hello/

Yeah

Ok - Bow out. Slow down.

Ok good lord. I'm confused.

As long as we load them we are ok.

8/5/19, 9:14 AM

I'm On my way, there was a shooting in Dayton and I had to check in on my friends there where I was stationed. 9 people died by a crazy gunman. I'm sorry but I had to make some calls and texts to check on them

8/5/19, 10:25 AM

Are you here?

?

Not yet I'll be there in 30. Call u in a sec

Wow!

It will be 11:30am - We need to find ways for it to be more planned than 11:30

8/5/19, 12:05 PM

Hey - Can I count on you to come to work today? We have a lot of invoices ready to be uploaded.

Yes I am driving now. I kept getting held up by the dog and everyone and to get there as fast as I can without getting a ticket.

Ok - cool

8/5/19, 5:55 PM

Am I allowed to be in the office after 7pm? Is that okay with you Rich? I have a lot of mail to finish.

Sorry to bother you btw If you are busy? I can ask another...? Just let me know if you're able to if it's okay for me to stay and finish these up. If don't hear back I'll ask another. Thanks 🙏 Good vibes to you

Yes that's fine

Thank you 🙏 Hope you are well

Not sure if my brother from another Justin can make it for sure yet, so I will let Julie know that tomorrow and may bring my cousin lindsey instead. Good vibe man! 🕊

Unless it's only for couples lol? I'm a Lone Ranger so not many options there lol

No problem either way. It would've been cool to meet Justin since I've heard so much about him. But I understand since it's during the day on a Thursday

Thanks for getting all the snacks ready.

Yeah I know! I was really looking forward to him meeting all you guys! He's pretty funny. A big goofball! And he owns his own painting company so if you ever need your office space or house painted he's flexible and doesn't charge too high. He said he would try but I think he is painting like a Doctor's office or something right now so he said he would try. I think you guys would like him. He's a good guy! And I'm sure he would just loveeee any opportunity to embarrass me and give you all the dirt on me lol. Embarrassing stories and such. All In harmless fun though lol

And thanks for giving me the opportunity to take over that responsibility. I appreciate it. If there is anything you think I should adjust or change please let me know. I would like to get some bananas, apples, and oranges in a bowl before everyone gets here. They are coming in Wednesday correct? I've gotta finish hemming my dress pants lol

8/6/19, 9:04 AM

I'm Omw into work right now. I stayed til like 9 and so i guess I was so tired I over slept. Please tell Larry to leave the stuff under my desk alone.

It's my job to do not his

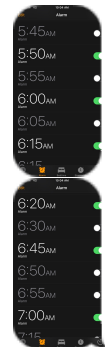
Could you be more specific about the stuff under your desk so I can talk to him thanks

Specifically a box of mail

I didn't leave until 9:15pm

So of course even though I set 7 alarms...I didn't get home until late and to bed until late so now It looks like im just strolling in late again

So is everyone there today or tomorrow? You didn't answer last night



Partners are here at 1:00 and the rest come tomorrow am - see you later.

I'm omw right now...so I will see you sooner rather than later. And my alarms were mysteriously turned off when I woke up to my mothers lovely screaming voice this morning.

8/6/19, 11:14 AM

Will you be coming in today?

It seems like you told me you were on your way at 9:04am, but it is taking a long time to get here. Are you ok?

Today, 9:04 AM

I'm Omw into work right now. I stayed til like 9 and so i guess I was so tired I over slept. Please tell Larry to leave the stuff under my desk alone.

It's my job to do not his

Hello?

Scott and Phil will be in the office any minute now.

8/7/19, 9:42 AM

I'm here like I'm supposed to be just fyi lol. Just in case words get twisted

8/7/19, 3:58 PM

I need and would like to speak with you when you get a moment at the end of the day please. Does that work for you?

I'm tired of this passive aggressive threats with Larry. It has been non stop for six months. I've documented almost all of it. If you decide to sneak out then that's fine. But I'm not going to be treated disrespectfully anymore.

He has made me cry almost every single day by his rudeness and lack of kindness, twisted my words around, flat out lied about me, and now since i simply responded in a non aggressive way...he is crying. Well I have been nothing but kind to him. And now he is feeling what I've delt with every single day. So if you wanna talk about it I'll be in the office. If not, then I don't know what else to do at this point

crocodile tears

Will definitely swing by before leaving. Hold tight.

8/8/19, 12:27 AM



114% ?? Danggg...I didn't realize the Swiss math system was so advanced lol

But hey! If shit pops off...we going to your homeland!!

I'll pretend like I'm your daughter and Chris can be my little brother. Alex will probably be selling the bunkers anyways so we won't have to worry about him as much

And Scott and Phil will be I'm the Bush's private

family bunker in Dallas somewhere or something.

*in

8/8/19, 6:38 AM

Ha!! 😊

8/8/19, 9:54 AM

Can I call you later?

I guess so. I'm on my way in now bc Lily has to get her stitches out today and my mother is incapable of kindness to me. The good news is that I'm moving out tomorrow!!

And I'll be a lot closer to work

When do you think you will be in today - just so I know in case I get asked.

20 mins

Sorry that my mother is so mentally abusive to me that I can't even wake up happy

Like I said, moving out this weekend and won't have to deal with this bs anymore. I don't know how I'll move bc I don't have a truck or any more money but I'm leaving. I am not letting her ruin my life anymore

Cool - We can chat about it this evening

I'm walking in now. I needed to breathe and calm my anxiety. I cannot wait to move out of there. It will change my life. I will be happy again. And I have tried to have your best interest in mind always...but sometimes it's hard to be your health normal self when so many people are against you. The part that hurts the most is that it's my own mother. She told me today she wished I had never been born. So I'm done. I don't care that I'm broke. I'm leaving and not taking anymore disrespect or threats from anyone. This is why I can't get here half the time. I am trying to stay positive and responsible in a world that is draining me of that. But I'm still trying every single day. And it hurts my heart like hell. But I will still keep a smile on my face and pretend nothing is wrong bc I don't want to make u look bad. At this point, I don't even care that everyone else hates me. I just don't want to cause troubles for you bc you

have had my back and I don't forget kindness

8/9/19, 10:25 AM

Hi - Hope all is well and you got home ok last night.

8/9/19, 1:51 PM

Hi it is 2pm are you still planning on coming into the office today?

8/11/19, 3:59 PM

Hey this is Alexis. My new Number

Cool. New number. Is the old one done?

8/20/19, 8:24 AM

Hey! I have a ladies doctors appointment today and so I'll be in a little late today. I tried to put it on the calendar but I wasn't sure exactly what time they could work me in and also at the time I couldn't login with my password. I just remembered the calendar password the other day

Like last night lol

I'll text you when I'm leaving the doctors office. Have a good morning!

Can you come in before that? Did you upload all the paper invoices? Your desk is locked

When is your doctors appointment?

And what time will you be in the office?

Driving but not sure what exact time I will be there. It will be as soon as my doctors appt is over. Had my computer not been changed I would've had my log ins. And I locked the drawer for security purposes since invoices are sensitive materials and i finished as many as I possibly could do that day, even though yesterday was very hectic. See you after my appointment.

I had to pull over to text this btw

When is your Dr. Appt?

Surely you can estimate when you will be in the office.

I'm sure that's possible but if I have to wait then tell

you the incorrect time it seems like you could use that against me since it seems you are suddenly so interested in all of this. I don't understand why it's acceptable for others to come in late and or leave early but when I have a doctors appt. you are always getting angry with me. Im waiting for my appointment and will call you when I'm headed in

Read

I am asking because you came in at 11:00 yesterday. Without notice at all.

The invoices are stacking up and I cannot get to the paper. I need a key to your desk or you cannot lock it anymore. The queue is low and I can't get to the paper invoices.

When is your Dr. Appt scheduled? What time?

EXHIBIT 2

Have a good weekend bossman

3/30/19, 11:18 PM

Nice. Super excited about tour uncle but let's talk on that first before getting others involved.

Glad to hear you are well. That is the "Alexis" I hired.

Keep me in the loop on the family meeting (only if you want)! I feel that is an important step for your brother but also for you.

I really see big potential in you! I think my best quality is finding potential. Which makes you a true candidate to do well at FreightWise or any other place in the future.

Feel free to call anytime- I enjoy our conversations; I really do!

Glad we are friends! Glad to have you as a friend.

Thank you!

I am too! Im glad to be your friend!!

iMessage with 19315054073

3/15/19, 9:53 AM

Just FYI...i have been on time/few mins early every day this week! 😊😊😊 Annnd stayed late every night and even took shorter lunch breaks once or twice! As silly as this sounds Bc i know its my duty to be on time anyways lol...but im actually really proud of that lol!!

Im in a great mood and I thought it might help the attitude with larry but it didnt. He hasn't acknowledged it at all really and keeps saying that ive been late, which is false because i scanned my fob and wrote everything down so im not even worried about it haha. So now at least i know his whole attitude problem with me is not actually about me.

He's in a fowl and rude mood today again just to warn you! Even steph said it felt tense in here...its not me though! I feel great and i am really excited to see youuuu!!! Welcome back!

Thanks.

Good night!

Good job!

Thank youuu for being patient with me!
I was just going through a lot of tough changes there for a bit...like my whole life changed suddenly as far as job, living situation, money, losing an eye etc and everything lol.
But now im back on my game and I wanted to show you that I can be responsible and I do care about doing a good job for you and the company. So basically what im trying to say is that im sorry and moving forward will keep being on time and more organized. Cause i want this team to work and to make you look like a million bucks!!!

WhooWoo! Alexis is back! See you later on today.

Haha hurry up! I want my work bossfriend back!!

EXHIBIT 3



Mom >

R

Rh



message



call



FaceTime



mail



pay

Today

12:57 AM Incoming Call 43 minutes

12:24 AM Outgoing Call 32 minutes

12:23 AM Canceled Call

phone RECENT

(615) 319-2171

FaceTime



Notes

The only way you can save your job is walk in to doctor laffertys office tell him the truth and get a note from him telling them why you didn't go to work. Do not call my office or cell while



iMessage





+1 (931) 505-4073

iMessage
Today 12:27 PM

Messages

urch

+1 (931) 505-4073 12:27 PM

The only way you can save yo...

+1 (931) 255-0521 11:56 AM

I am in your parking lot putting
on my makeup

+1 (931) 215-7622 Yesterday

Yep but I think psychologist ca...

+1 (865) 660-94... Yesterday



+1 (931) 446-2... Wednesday



+1 (615) 970-9458 Tuesday

Thanks so much. Jovenum

+1 (855) 894-7420 Tuesday

Attn: The 60-90% off acce...

+1 (931) 286-0574 Tuesday

931-381-2695

454-545 Tuesday

AscendFCU:
LOW BALANCE ALERT for CH...

+1 (561) 513-1811 Tuesday

So thank you so much 🍀 look

+1 (615) 887-7511 Tuesday

she was happy about it.

The only way you can save your job is walk in to doctor laffertys office tell him the truth and get a note from him telling them why you didn't go to work. Do not call my office or cell while I'm at work. I am in a bad way and my blood pressure is at stroke level. Elizabeth is right next to me and I can't take it. If you don't go to the doctor I'm not coming home

Delivered